

**TOWN OF YARROW POINT
COUNCIL REGULAR MEETING MINUTES
September 14, 2017
7:00PM**

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
David Feller
Steve Bush
Andy Valaas
Carl Scandella

Staff: Austen Wilcox – Town Deputy Clerk
Mona Green – Town Planner
Wayne Stewart – Town Attorney

Guests: Michael C. Walter – Town Legal Counsel
Richard Gates – Resident
Marylin Black – Resident
Marshall Horwitz – Resident
Philip Laub – Resident
David Young – Resident
Stephan Lagerholm – Resident

MOTION: Councilmember Valaas moved to add agenda item 6.A *Fiscal Controls* to the agenda. Councilmember Elmore seconded the motion.

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

APPEARANCES:

Stephan Lagerholm, resident at 9039 NE 33rd St, explained that he is running for Council position #1. Mr. Lagerholm provided an overview of his experience in the work force. Mr. Lagerholm expressed his interest to work on the Council.

Marylin Black, resident at 9210 NE 37th Pl, stated there has been ongoing issues with construction vehicles destroying the landscape in front of her home. Ms. Black requests that the Town regulate parking in the right of way in front of her home. Mayor Cahill stated that he will follow up with Ms. Black to discuss a possible solution.

Marshall Horwitz, resident at address 4425 94th Ave NE, stated there has been several occurrences of off hours construction activity taking place at construction projects on 94th Ave. Mr. Horwitz understands that previous citations have been made for these projects and suggests stricter enforcement measures be instated. The Council is going to research the code language so the intentions of enforcement are being met effectively.

David Young, 3615 91st Ave NE, registered to run for Council position for #1 and looks forward to potentially joining the Council.

MINUTES:

MOTION: Councilmember Valaas moved to approve the regular minutes of July 11, 2017 as corrected. Councilmember Elmore seconded the motion.

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

CONSENT CALENDAR:

Mayor Cahill stated that August payables will be presented at the October Council meeting due to a limited staff situation.

Councilmember Feller suggested the street sweeper sweep entrance and exits of the freeway. Mayor Cahill will reach out to Clyde Hill to discuss these additional areas of sweeping.

MOTION: Councilmember Valaas moved to approve the Consent Calendar as presented including the Payment Approval Report dated 8/08/2017 approving payments as shown totaling \$163,096.99 plus payroll, benefits, and tax expenses of \$27,284.68 as shown on the attached payroll and benefits reports for a grand total of \$190,381.67. Councilmember Feller seconded the motion.

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

The following items were also approved as part of the Consent Calendar:

- Payment Approval Report; July
- Payroll, Tax, & Benefits Registers; July
- Town Planner Invoice; July
- Town Engineer Invoice; July
- Building Official Invoice; July
- John M. Joplin Invoice; July

STAFF REPORTS:

Mayor Cahill presented on Lieutenant Kolling's behalf. Mr. Cahill reported that a wire fraud transfer was discovered in the Town and that appropriate police and insurance notification measures have taken place. Internal policies and procedures have been instated and reviewed to insure safety and correct authorizations are taken place.

Council member Bush reminded the importance of having police presence at Council meetings to provide reports and to listen to resident appearances.

Councilmember Bush requested an update on the playground project. Mayor Cahill stated that the Town Engineer is working with the architect and once the design is finalized, a bid document can be created and submitted. Councilmember Bush requested the tracking of the financial expenses relating to the project.

REGULAR BUSINESS:

AB 17-30 YPMC 17.16.050 – Building site requirements, Public Hearing, Ordinance No. 681, for Adoption

Mayor Cahill shared that the Town has hired outside legal counsel specializing in Land Use to assist with the code revision.

Town Planner, Mona Green, provided a recap for the intention of the code revision including the citizen input and Planning Commission research put forth over the past six months. Ms. Green supplied a copy of the revised code language and explained what constitutes a legal building site based upon the proposed code language. Mayor Cahill explained the provisions and compliances of the Ordinance.

The Mayor opened the Public Hearing at: 8:30 PM

Marshall Hortwitz, resident at address 4425 94th Ave NE, has concerns that the Ordinance could potentially render his lot inadvertently “unbuildable.”

Richard Gates, resident at address 4462 95th Ave NE, asked if a particular lot near his residence would be classified as “buildable.” Mayor Cahill stated that lot is unique and is in common ownership with a contiguous lot.

The Mayor closed the Public Hearing at: 8:35 PM

Council member Valaas referenced a lot within the town which previously held a water tank that did not have an existing residence, as an example to a few lots within the town that will become a legal “buildable” lot, if the Ordinance is passed.

Council member Bush would like to explore particular cases where the code language deems lots “unbuildable.”

Attorney Michael Walter suggested to the Council that they assign a staff person to interpret Town code for the public. Staff will research the option.

MOTION: Councilmember Feller moved to adopt *Ordinance No. 681 with the correction of the Public Hearing Date*. Councilmember Valaas seconded the motion.

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

AB 17-31 Status of Lid Maintenance

Mayor Cahill provided the status of the negotiation process between WSDOT and the Town including the support of nearby jurisdictions for increased maintenance on the LID. The internal cost estimate is \$30,000 per acre to maintain per year. WSDOT has agreed to supply \$12,200, with the Town assuming all landscape and hardscape maintenance control. The Town has also been seeking legislature support, including letters that have been written by State Representatives. The Town has hired outside legal Counsel to represent the Town as a voice. Mayor Cahill cannot endorse the activity of the public maintaining the Lid at it is considered trespassing.

Councilmember Bush stated there has been lack of public awareness of the internal negotiation and the need to inform them of the reasoning behind the lack maintenance to the LID during the negotiation process. Councilmember Bush also shared public concern over the use of pesticides being used on the Lid.

Fiscal Controls 6.A

Mayor Cahill shared that the Town was a victim of a fraud attack, and two wire transfers were sent. The Mayor’s email was spoofed to the Town’s finance department requesting wire transfers. Mayor Cahill stated that wire transfers are not usual Town procedure and

should not have been authorized, as two signatures are required for any transaction. The Town is currently taking all necessary measures both internally and externally to insure the matter will not take place again. Town staff have notified the authorities, Town's bank, additionally, a claim filed through the Town's insurance authority (WCIA), and the State Auditor.

Councilmember Bush stated the importance for having a gate for transactions.

Councilmember Bush suggested that the Town consider moving to a one-year audit cycle.

Mayor Cahill will research this option.

Councilmember Elmore stated that she was disappointed in the timing of the Council's awareness of the issue and requests increased transparency.

Councilmember Feller stated the importance of policy strengthening, and internal controls. Reviewing procedures with the State Auditor is important.

The Council would like to implement a Fiscal Control Manual.

Council Reports:

Councilmember Bush has concerns about the excessive traffic flow into the roundabout due to a recently placed "No Right Turn Between 4-7 PM" sign placed related to a traffic reducing study measure Clyde Hill is conducting. Mayor Cahill reiterated that Clyde Hill will remove these measures if there are unintended consequences to Yarrow Point.

ADJOURNMENT:

MOTION: Councilmember Elmore moved to adjourn the meeting at 9:36 pm. Councilmember Valass seconded the motion.

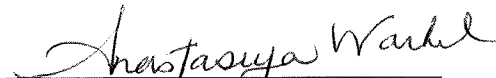
VOTE: 5 For, 0 Against, 0 Abstain. Motion carried.

APPROVED:



Dicker Cahill, Mayor

ATTEST:



Anastasiya Warhol, Clerk-Treasurer

