

TOWN OF HUNTS POINT

COUNCIL MEETING

MAY 4, 2009



CALL TO ORDER

Mayor Fred McConkey opened the meeting at 7:10 p.m. Councilmembers Ted Frantz, Kevin Hughes, Jim Nordstrom and Larry Williams were present. Councilmember Jeri Boettcher was absent. Staff present was Assistant Town Attorney Margaret King, Chief Jeff Chen and Lt. Dan Yourkoski of the Medina Police, Town Planner Mona Green, Deputy Clerk Linda Longmire, Deputy Clerk Sue Ann Spens and Town Administrator Jack McKenzie. Residents present were Dee Claypool, Jill Davis, David Bocek, Ken Fisher, and Annie Ottesen.

APPROVAL OF MINUTES OF APRIL 6, 2009

MOTION: Accept the minutes of the Council Meeting of April 6, 2009 as corrected. Moved by Hughes, seconded by Williams. Passed 4-0. **MOTION CARRIED**

PRESENTATION OF OUTSTANDING SERVICE AWARD

Mayor McConkey called Deputy Clerk Spens to the front of the Council Chamber and presented her with the Town of Hunts Point Outstanding Service Award for her excellent work as a deputy clerk of the Town. The award was followed by warm applause from all in attendance.

POLICE REPORT

Chief Chen reported another month without criminal activity in Hunts Point. He went on to say that he will be meeting with the Medina Council about staffing of the police department.

Lt. Yourkoski reported on several infractions and burglaries in Medina. He also discussed the recent U.S. Supreme Court finding that limits the ability of the police to search vehicles after a stop.

FIRE REPORT

There were two emergency medical calls and one false alarm in Hunts Point in the month of March.

AMENDMENT OF HPMC 18.25.020 TO CORRECT AN ERROR

Mayor McConkey said the Planning Commission held a public hearing on Ordinance No. 478 that corrected language in HPMC 18.25.020 which establishes GFAR for basements. He asked Planning Commissioner Ken Fisher to explain the results.

Mr. Fisher said the Planning Commission approved the correction and recommended the Council pass Ordinance No. 478. He went on to say that it was understood the relationship of exposed basement area and the average height of the basement ceiling would establish the gross floor area allowed for the structure. Discussion followed.

MOTION: Adopt Ordinance No. 478 correcting the allowance for basements in the gross floor area calculation. Moved by Frantz, seconded by Hughes. Passed 4-0.

MOTION CARRIED

REVISION OF THE TREE CODE (HPMC 8.25)

Mayor McConkey asked Park Commissioner David Bocek to provide a history of the deliberations of the Commission in developing the new Tree Code.

Mr. Bocek said the members of the commission have gone through the present code line-by-line with Sean Dugan, a principal of Tree Solutions the Town Arborists, looking for ways to strengthen protections for trees and maintain the tree canopy coverage of Hunts Point at ratio of sixty percent.

Mr. Bocek explained the Commission started this activity due to concerns caused by the extensive tree removals that had taken place at some of the recent residential construction projects. Mayor McConkey asked Mr. Bocek to describe the changes anticipated in the new ordinance. Mr. Bocek said that protection had been extended to deciduous trees, penalties for illegal removal had been stiffened and the process for valuing a tree for fines or replacement cost were changed.

Mayor McConkey said he had studied the revised ordinance and saw some items that he felt should be changed. After some discussion Mayor McConkey started working through the draft ordinance section by section to allow comments concerning the proposed language by councilmembers and others. Mayor McConkey suggested a change in the language on page three of the draft to establish the Town Arborist as the lead in plant species selection for mitigation.

Questions were raised about the removal of the listing of replacement tree species from the code. It was explained that the listing of replacement species would be expanded but included in a tree management compendium to be created by the staff of Tree Solutions. Ms. King informed the Council that the compendium would have to be adopted by resolution. Doing the tree list in that manner would make it easier to amend it without changing the Municipal Code by ordinance each time it happened.

Mayor McConkey expressed a preference for not protecting native deciduous trees that had been considered "weeds" including cottonwoods, alders and willows. Mr. Bocek said the Park Commission considered it important, in order to maintain canopy cover, that all trees must be included in a management program. Councilmembers Frantz and Williams agreed with the Park Commission, Councilmember Nordstrom agreed with the Mayor.

TOWN COUNCIL MEETING

May 4, 2009

Page 3 of 4

Councilmember Williams recalled the homogeneity of age among the trees of the present canopy cover as one of the issues affecting it. He addressed the need for establishing a forestry plan and following that plan.

The matter of fines for the illegal cutting of trees was discussed. Mayor McConkey suggested a fine of \$10,000 per tree. This led to a further discussion about the method of levying fines and mitigation using valuations of the trees cut as a basis.

The wording of the steps to be taken for the protection of trees during construction caused some concern. Ms. King suggested trees in the construction area that show damage or die after construction has been completed should be presumed to have been the result of the construction even though the protection measures were in place.

Note was taken of the fact that there were at least two building lots in Hunts Point where trees had been removed, the house demolished and the lot left vacant without the trees having been replaced. After discussion it was suggested language be added to the ordinance to require replacement of the trees if construction doesn't start within one year of the permit being ready for issuance.

Councilmember Williams inquired about what it was that the Town wished to achieve regarding trees. After discussion the answer seemed to be "a tree management plan". Mr. McKenzie mentioned that the State Department of Natural Resources was currently working on having all local governments in the state have an urban forestry plan and had already queried them on the status of such plans.

Mayor McConkey directed Ms. King to redraft Ordinance No. 479 to reflect the comments resulting from the discussions. He also asked Councilmember Williams to be the Council Liaison to the Park Commission.

MILFOIL TREATMENT FEE RESOLUTION NO. 09-215

Mr. McKenzie said the annual fee for aquatic weed treatment for 2009 will be \$375 per lot based upon the bid from Aquatechnex, Inc. There will be two treatments.

The first treatment in late May treating milfoil and a second treatment in late July to treat milfoil and other invasive, non-native weed species.

MOTION: Adopt Resolution No. 09-215 establishing a fee of \$375 per waterfront lot for two treatments of aquatic weeds in 2009. Moved by Frantz, seconded by Hughes. Passed 4-0. MOTION CARRIED

SUBREGIONAL OPPORTUNITY FUND INTERLOCAL COOPERATION AGREEMENT

Mr. McKenzie informed the Council that this interlocal agreement was between the Town of Hunts Point and the King County Flood Control District for it to provide financial resources to support local flood control, storm water control or cooperative watershed management projects or programs. These funds are allocated on the basis of assessed valuation. By signing this agreement the Town will receive its share of the funds and bank them for future projects.

MOTION: Authorize Mayor McConkey to execute the Interlocal Cooperation Agreement between the Town of Hunts Point and the King County Flood Control

TOWN COUNCIL MEETING

May 4, 2009

Page 4 of 4

District governing the administration of the Flood Control Districts Sub-Regional Opportunity Fund. Moved by Frantz, seconded by Nordstrom. Passed 4-0.

MOTION CARRIED

UPDATE OF SR-520 PROJECT

Mayor McConkey informed the Council that the State Legislature passed a law calling for tolls on the 520 Bridge. This is to take effect in 2010. The passage of this bill sets the stage for the start of the SR-520 Replacement Project.

TULLY'S TOWN MEETING

Mayor McConkey reported the Town Meeting was well attended and there was good dialog between residents, State Officials and Town Officials. It seemed there was satisfaction on the part of residents.

AUDIT OF ACCOUNTS

Vouchers Nos. 14909 through 14943 in the amount of \$94,186.67 dated May 4, 2009 were presented for review, approval and signatures. Approval granted.

ADJOURNMENT

Mayor McConkey adjourned the meeting at 8:33 PM

Jack McKenzie
Town Administrator

APPROVED _____