

TOWN OF HUNTS POINT

COUNCIL MEETING

AUGUST 3, 2009



CALL TO ORDER

Mayor Fred McConkey opened the meeting at 7:04 p.m. Councilmembers Jeri Boettcher, Kevin Hughes, Jim Nordstrom and Larry Williams were present. Councilmember Ted Frantz was absent. Staff present was Assistant Town Attorney Margaret King, Chief Jeff Chen of the Medina Police, Town Planner Mona Green and Town Administrator Jack McKenzie. Residents present were Dee Claypool, Rhoady Lee, Diane and Frank Fiduccia, Mark Bloom, Dan Temkin, Elaine Coles and Annie Ottesen, Also present were Derrick Priebe and Lynn Carstens of T-Mobile and Matt Cagan of Verizon.

APPROVAL OF THE MINUTES OF JUNE 1, 2009

MOTION: Accept the minutes of the Town Council Meeting of June, 2009 as written. Moved by Williams, seconded by Boettcher. Passed 4-0.

POLICE REPORT

Chief Chen reported that the new emergency dispatch center, combining those of Bellevue and Kirkland, was in operation. Called NORCOM it serves the public safety needs of Bellevue, Kirkland, Redmond, Medina and Clyde Hill as well as thirteen fire service organizations.

Chief Chen said that SeaFair Weekend caused a heavy workload for the Medina Police due to people gathering at Medina Park to watch the Blue Angels air show and the boat races.

Chief Chen announced that there were two new officers in the Police Academy and another in the interview process. When all are on staff there will be nine sworn officers in the Medina Police Department.

FIRE REPORT

There was one emergency medical call, one service call and one false alarm in Hunts Point in the month of May. In June there was one emergency medical call and one good intent call.

ENGINEER'S REPORT.

In the absence of Mr. Willis, Town Engineer, Mr. McKenzie reported that the Six Year Capital Improvement Plan for 2010-2015 had been completed. The projects listed included installation of street lights, addition of security cameras and improvements to the storm drains by replacing outdated catch basins with oil-water separators and deeper sediment retention wells.

TOWN COUNCIL MEETING

August 3, 2009

Page 2 of 5

Mayor McConkey asked for a motion to adopt the CIP for 2010-2015.

MOTION: Adopt the Town of Hunts Point Capital Improvement Program covering the years 2010 to 2015. Moved by Boettcher, seconded by Williams. Passed 4-0.

MOTION CARRIED

PLAYGROUND EQUIPMENT

Mr. McKenzie reminded the Council that the subject of providing a \$5,000 donation for the replacement of worn and broken playground equipment at Clyde Hill Elementary School was considered over a year ago. At that time the Council told the committee trying to raise the funds that the Town would consider a donation after the other parties being asked for a donation had done so. As of the present date the donations are:

Clyde Hill Elementary PTSA	\$32,000
City of Clyde Hill	28,000
Town of Yarrow Point	10,000
Bellevue School District	Site preparation and installation, etc.

MOTION: Appropriate \$5,000 from the Current Expense Fund to donate to the Playground Equipment Replacement Program at Clyde Hill Elementary School.

Moved by Hughes, seconded by Nordstrom. Passed 4-0.

MOTION CARRIED

SHORELINE MASTER PROGRAM (SMP)

Ms. Green explained the process of developing an updated Shoreline Master Program to bring the Town's Shoreline Master Plan up to date including all of the regulations that have been changed since the last time it was updated. The Department of Ecology has provided a grant to Hunts Point in the amount of \$50,000 to be used over the years 2009 through 2011 to help defray some of costs of the development of a revised SMP.

After discussion it was decided to have the Planning Commission provide direction and coordination to Ms. Green as she developed the program.

Resolution No. 09-216 was introduced as the instrument for signing up with DOE to get the program underway.

MOTION: Adopt Resolution No. 09-216 ratifying the Mayor's acceptance of a Shoreline Master Program grant from the Department of Ecology. Moved by Boettcher, seconded by Williams. Passed 4-0.

MOTION CARRIED

CELL TOWER CO-LOCATION

Mr. McKenzie said that some time ago the Town had been approached by Cricket Communications seeking a ground lease to erect a building to support the co-location of a cell phone antenna on the Clearwire tower near the tennis courts. He reminded the Council that Cricket had provided one proposal to the Town and was now providing another. In addition proposals has been very recently received from Verizon and T-Mobile.

Discussion of the idea of adding wireless antennas in the tennis court area included the physical structures needed, the capacity of the mast now at this location, the availability of additional space and the possibility of having additional mast(s) constructed to increase the number of antennas. Councilmember Boettcher inquired

about the increase in interest in siting wireless antennas in Hunts Point. Mr. Cagan explained that the location near the tennis courts was a prime area for wireless reception and transmission. Mr. Cagan also indicated the location could command a land lease and use lease with Clearwire that, combined, could be as much as \$4,500 per month.

Councilmember Nordstrom said the process should pause until an examination of the factors related to it was completed. He said it was important to maximize revenue from the location. Mayor McConkey directed Ms. King and Mr. McKenzie to work jointly on such an examination to establish a maximum value from the location.

COMMENTS FROM DAN TEMKIN

Ms. King started the flow of information by giving an account of the activity involving a project at 3405 Hunts Point Road and its effect on the trees along the property line to the north. Mr. Temkin's home is located to the north. She said the owner of 3405 had an application for a building permit going through the process towards approval and, if all the requirements are met the Town is required to issue the permit. She also made the point that the Town views the dispute over the trees as a private matter between two neighbors.

Mr. Temkin took the floor to explain that it is his attorney's position the permit for 3405 cannot be issued because the tree removal code would prevent it. The attorney's belief stems from his interpretation of the Hunts Point Tree Code (HPMC 8.25). The violation would be endangering trees on Mr. Temkin's property. He went on to say that the owner of 3405 has not shown a willingness to negotiate a settlement that would remove the threat to the trees at 3415. He further stated that the owner of 3405 could easily redesign a retaining wall, which he characterized as a landscaping feature, to be built on the property line to take care of the matter.

Ms. King explained that the Town Council does not have a role on the issuance of building permits. She said that there is a procedure for dealing with Mr. Temkin's concern. That procedure is to file an appeal of the issuance of the permit and having the matter adjudicated by the Hearing Examiner for the Town.

After a deep and length discussion of the matter Mayor McConkey moved the meeting on to the next matter.

PROCEEDS DISTRIBUTION AND HOLD HARMLESS AGREEMENT WITH THE CITY OF BELLEVUE FOR SALE OF JAIL PROPERTY

Ms. King explained this was related to the acquisition of property in Bellevue for the construction of an eastside jail. The property was subsequently sold with the City of Bellevue handling the details. Mr. McKenzie said the settlement will provide \$18,450.65 to Hunts Point in return for Bellevue getting a hold harmless agreement to prevent future claims against Bellevue for any problems that may occur as a result of the way it completed the deal.

MOTION: Authorize Mayor McConkey to sign the Proceeds Distribution and Hold Harmless Agreement with the City of Bellevue. Moved by Hughes, seconded by Williams. Passed 4-0.

MOTION CARRIED

2010 LOCAL HAZARDOUS WASTE MANAGEMENT PROGRAM GRANT

Mr. McKenzie reminded the Council that this grant is available to Hunts Point every year in the amount of \$7,500. He said because the Town does not have the facilities for such a program it has been the practice to have the money assigned to the City of Bellevue for use in this area. If the Town does not make the request the money goes into a pool for use throughout the County.

MOTION: Authorize Mr. McKenzie to accept the Local Hazardous Waste Management Program grant and have it allocated to the City of Bellevue for use. Moved by Boettcher, seconded by Nordstrom. Passed 4-0. **MOTION CARRIED**

2010/2011 WASTE REDUCTION/RECYCLING GRANT

Mr. McKenzie again reminded the Council that the King County Solid Waste Division provides grants to municipalities to enhance and/or create waste reduction recycling programs. The practice has been for Hunts Point to apply for the grant and assign the funds to The City of Bellevue for use in this area. This is a two year grant with \$10,000 being applied each year.

MOTION: Authorize Mr. McKenzie to apply for the 2010/2011 Waste Reduction Recycling grant in the amount of \$10,000 from King County Solid Waste Division for assignment to the City of Bellevue. Moved by Williams, seconded by Boettcher. Passed 4-0. **MOTION CARRIED**

KC FLOOD CONTROL SUBREGIONAL OPPORTUNITY FUND

Mr. McKenzie explained that the Subregional Opportunity Fund had been created to provide funds for storm water projects in the communities. A proposed distribution is made prior to the grant request. Next year the amount for Hunts Point is \$7,480. Since the design of the update of the storm water system is not complete the request will be for the funds to be retained and carried forward until the time of construction. This will be the third year the Town has made this request.

MOTION: Authorize Mr. McKenzie to execute the application form for the 2010 Subregional Opportunity Fund grant in the amount of \$7,840 with the proviso that it is to be retained for use at a future date. Moved by Williams, seconded by Nordstrom. Passed 4-0. **MOTION CARRIED**

SR-520 PROJECT

Mayor McConkey said the meetings are still being held to finalize the design for the west end of 520. He said Seattle is still trying to find a way to obtain the tunnels they want at Montlake. The money for the floating bridge itself is available and construction continues on the pontoons.

BLOCKWATCH PROGRAM

Mayor McConkey said he had been working on the Block Watch Program and some neighborhood meetings had been held during the Summer. Further progress is planned for the Fall.

TREE CODE

Mayor McConkey said he had been involved with the development of a revised Tree Code along with the Park Commission and others. The work is directed at

TOWN COUNCIL MEETING

August 3, 2009

Page 5 of 5

improving the Code to prevent clear-cutting and saving the urban forest on the Point.

AUDIT OF ACCOUNTS

Vouchers Nos. 147985 through 148029 in the amount of \$135,496.00 dated July 6, 2009 were presented for review, approval and signatures. Approval granted.

Vouchers Nos. 148030 through 148,059 in the amount of \$165,684.32 dated August 3, 2009 were presented for review, approval and signatures. Approval granted.

ADJOURNMENT

Mayor McConkey adjourned the meeting at 8:50 PM

Jack McKenzie
Town Administrator

APPROVED _____