

TOWN OF HUNTS POINT

COUNCIL MEETING

April 4, 2011



CALL TO ORDER

Mayor Pro Tem Frantz opened the meeting at 7:08 P.M. Councilmembers Dee Claypool, Jill Davis, and Heather Smith were present. Mayor Fred McConkey and Councilmember Hughes were absent and excused. Staff present was Town Attorney Mike Kenyon, Lieutenant Dan Yourkoski of the Medina Police, Town Engineer Joe Willis, Town Planner Mona Green and Deputy Clerk Linda Longmire. Residents Ken Fisher, Richard Herzberg, Patrick Jones, Penny O'Byrne, Annie Ottesen, Bruce Swenson, and John Torode were also present.

AMEND THE AGENDA

MOTION: Move Item II, Public Comment, to after Item V, where Mayor Pro Tem will provide the Mayor's Report on the SR 520 update. Moved by Davis, seconded by Claypool. Passed 3 – 0. **MOTION CARRIED**

APPROVAL OF MINUTES OF MARCH 7, 2011

MOTION: Approve the minutes of the Town Council March 7, 2011 meeting as written. Moved by Claypool, seconded by Smith. Passed 3 - 0. **MOTION CARRIED**

APPROVAL OF MINUTES OF MARCH 21, 2011

MOTION: Approve the minutes of the Special Town Council March 21, 2011 meeting as written. Moved by Smith, seconded by Davis. Passed 3 - 0. **MOTION CARRIED**

EXECUTIVE COMMITTEE ACTIONS

The Special Town Council meeting of March 21, 2011 had two executive sessions and no action was taken.

STAFF REPORTS

Medina Police Dept.

Lt. Yourkoski reported that the Town of Hunts Point had a burglary where the vehicle was accessed and a garage door opener was utilized to gain entry to the garage. It appears that entry to the house via the garage was attempted when home owners were alerted by door chimes. The Hunts Point cameras were malfunctioning. The cameras should be repaired by the end of this week and the malfunctioning Medina cameras are in the process of being repaired also. Checking the operation of the cameras was discussed and the Lieutenant explained that the Medina Police policy is not to review the tapes unless a crime has been committed. SecurFocus, the Hunts Point camera contractor, was not aware there was a problem until notified by the Medina Police Dept.

Councilmember Davis asked Lt. Yourkoski for his opinion on the placement of security cameras on 80th Avenue N.E. He explained that Sgt. Kane of the Medina Police is

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looking into the issue for there are complications of location due to the construction of SR 520's final plans. Wireless is not an option for there are bandwidth limitations.

Bellevue Fire Dept.

There was no Bellevue Fire Dept. report.

MAYOR'S REPORT

SR-520 Project

Mayor Pro Tem Frantz stated that there has been a lot of activity in the last month. He provided a timeline of meetings and decisions. A summary follows:

1. February 10th Mayor's Meeting - WSDOT announced the cost of the Flyover design is 3 to 5 million more if a frontage road is utilized. Without the frontage road, cost is 20 to 25 million dollars more.
2. February 18 Mayor's Meeting - WSDOT was told that the frontage road was unacceptable by Clyde Hill Mayor; there was disparity between amount of money allocated for the east and west sides of the Evergreen Point Bridge; and more money should be available for Eastside budget.
3. Hunts Point Planning Commission also discussed frontage road and its problems for the residents of Hunts Point.
4. During the first week of March, Mayor's meeting tells WSDOT that frontage road is unacceptable.
5. March 15th meeting - David Dye of WSDOT informs all mayors that there isn't any more money, and since there isn't consensus on the frontage road, the half-diamond design will be implemented. Mayor McConkey informs WSDOT that there have been several Town Council motions stating that the half-diamond design is unacceptable. Medina's Mark Nelson promotes roundabout design and WSDOT agrees to think about it.
6. March 22nd - WSDOT said discussions with ECC indicate they could implement a roundabout; but no commitment as yet. There was general agreement between mayors that this was better than the half-diamond.
7. March 23rd - WSDOT has Open House. Letter to all mayors is received from Julie Meredith stating that due to money issues and lack of consensus of the Points Communities the Flyover and Loop designs would no longer be considered.
8. April 1st - WSDOT sends letter that directs ECC to move forward with the roundabout design and acknowledges the incorporation of many elements of mitigation.

All the mayors are in agreement that the roundabout should be O.K. Everyone acknowledges that there are still a lot of questions. The Hunts Point Planning Commission is concerned about access to and from Hunts Point when the roundabout is filled with traffic. WSDOT has been invited to attend the May 2nd Town Council meeting.

PUBLIC COMMENT

Patrick Jones asked why the loop design was now no longer to be considered.

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Mayor Pro Tem Frantz explained that the loop didn't meet the required consensus criteria of the Points Communities. Mr. Jones wanted to indicate for the record that he felt the Point Communities had a 3-1 consensus.

Patrick Jones, 8301 Hunts Point Circle – The latest conceptual design is problematic for Mr. Jones and his wife. After a decade of meetings, it appears as if Hunts Point is being left with a design that has had zero public comment, zero traffic studies and zero public input. He feels the design will fail Hunts Point residents for ingress and egress. The failure will require street modifications and traffic signaling that will be necessary with the roundabout design.

Mr. Herzberg asked if the Town has given all legal consent to WSDOT for the roundabout design.

Mayor Pro Tem Frantz said contracts will be signed with WSDOT for consulting. For example, Town Planner Green and Town Engineer Willis will be working for the Town of Hunts Point and representing our interests while being reimbursed by WSDOT. They will be the “point” people for communication between WSDOT and the Town and will be dealing with permits.

Richard Herzberg, 4064 Hunts Point Road –The latest newsletter stated that the 84th interchange design is final. He doesn't understand how it can be final when it hasn't been studied by the Traffic Committee or the Planning Commission and it hasn't been approved by the Town Council. The State would like it to be final, but he hope that the Town of Hunts Point would use the processes in place to think through the questions that the design creates. There are questions to be answered, yet residents are told that this is final. It is stated that the design provides free and unobstructed access, but no one can provide answers to questions. He also stated that WSDOT has never committed to the two person HOV lane for the SR 520 on-ramp. If it will be a three person on-ramp requirement, the backups will be worse than it is now. He suggests that the Town Council not sign anything with the State of WA; not consent to anything with the State; and does not give a permit to the State. The Town of Hunts Point needs to take the position that this design is not final until an agreement is made to something that can be lived with and the Town will not issue any permits. The Town's attorney should examine our legal alternatives.

Annie Ottesen, 3007 Hunts Point Circle – At the March 23rd Open House, personal discussions with WSDOT representatives were about viable options and now we are told that this conceptual design is final. She feels that between now and May 2nd the Town needs to be heard. She feels the design is an accident waiting to happen. She requests a Motion that WSDOT provides the Town with a special meeting prior to May 2nd.

The Public Comment period was closed.

Mayor Pro Tem Frantz agreed that there are issues that need to be resolved. He has heard discussed the possibility of having a hatched area for a “do not enter” area so blocking will not occur. He's also heard about the possibility of metering the cars as they go into the roundabout. The reasoning why Mayor McConkey stated that the roundabout is the final design is probably because there has been over a year of discussion on the half-

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diamond design and ECC based its bid on that design. For the last six months objections have been raised. WSDOT has listened and changes have been made. Money has been an issue. There is still the possibility that the design can go back to the half-diamond, but Mayor McConkey has heard from the residents that there is no way they want the half-diamond.

Discussion continued concerning the dissatisfaction of the process. Town Attorney Kenyon stated that ultimately WSDOT has the final design decision. The legal issues of comparing the I-90 legal battle with fighting the SR 520 issues cannot be made for the State now has the Growth Management Act. The Growth Management Act didn't exist when Mercer Island got its deal for I-90. The Act imposes the requirement on cities and towns that they cannot preclude the siting of an essential public facility and SR 520 and bridge are essential public facilities. The Town can get mitigation.

Mayor Pro Tem Frantz was asked for his "gut feeling" on how to proceed. He stated that he felt the best approach was to continue to work with WSDOT and not try to fight them. There are still details that the Town can try to mitigate such as plantings, determination of lanes, and construction in the retention pond area.

Discussion again ensued on the potential of the loop design and the Town of Yarrow Point's decision when it voted on the Flyover for a consensus, but did not mention the loop. It was also mentioned about the futility of trying to mitigate around a bad design and the cost of change orders which would mean even more money being spent. It was stated that it's possible that the roundabout design is worse for traffic flow than the half-diamond. The discussion continued with the statement that the roundabout was worse than the half-diamond for ingress and egress to Hunts Point. The roundabout and half-diamond need to be studied to determine which design represents the best interests for Hunts Point residents.

MOTION: Contact WSDOT for an earlier special meeting with the Town of Hunts Point prior to the scheduled May 2, 2011 meeting. Moved by Claypool, seconded by Davis.

Discussion interrupted the completion of the motion. Mayor Pro Tem Frantz asked if attendance by the other towns should be included for the special meeting with WSDOT. The decision was yes for SR 520 issues affect everyone.

The motion was amended.

MOTION: Amend the motion to include an invitation for attendance by the other Points Communities. Moved by Smith, seconded by Davis. Passed 3 – 0.

MOTION CARRIED

AT & T MOBILITY

Town Attorney Kenyon explained that AT & T Mobility has filed claims seeking refunds of taxes attributed to internet access services. An expert telecom CPA has been hired to analyze the issue for it affects about 90 to 100 cities and towns. No motion is needed.

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PROPOSALS ON NEW SECURITY CAMERAS

Town Engineer Willis explained the Statewide Security proposal for security cameras on 80th Avenue N.E. It consists of two different installations, one at the north end by N.E. 32nd and one at the south end by the cul-de-sac. It was thought that during construction of SR 520 the latter camera would benefit the Town. The cameras would have the ability for license plate recognition.

There was discussion of dual lanes at the intersection of N.E. 32nd and 80th Ave. N.E. and it was stated that the buttoning of those lanes would be completed this year.

In the Statewide proposal, labor is warranted for one year and the equipment for three.

Councilmember Davis questioned whether this was time for the installation of cameras for SR 520 construction was to start soon in the area. Town Engineer Willis stated it was a question of if the Town wanted security camera coverage during the construction process. The pros and cons of installation were discussed.

MOTION: Authorize the funding for the Statewide Security proposal, which includes the dual lane coverage and south end cameras, as written. Moved by Smith, seconded by Claypool. Passed 3 – 0. **MOTION CARRIED**

Councilmember Smith questioned if there was a way that Hunts Point could have the Medina Police reconsider their policy concerning reviewing the tapes. Rather than waiting for a crime to initiate a tape review, the tapes could have a regular maintenance schedule. It was discussed that town staff had the ability to review the tapes at Town Hall. A maintenance review was recommended.

MEMORANDUM OF UNDERSTANDING

A memorandum of understanding for coordinated policy during an emergency was introduced by Mayor Pro Tem Frantz. The memorandum does not require an expense of money and is non-binding. It essentially provides a coordination plan with King County Emergency Services.

MOTION: Authorize the Mayor to sign the Memorandum of Understanding. Moved by Davis, seconded by Smith. Passed 3 – 0. **MOTION CARRIED**

MAYOR'S REPORT CONTINUED

Memorandum for Emergency Repair

Mayor McConkey's memorandum concerning the emergency replacement for the Town Hall recorder was introduced. It was explained that since it was a repair, a motion was not needed.

Planning Commissioners

New Alternate Planning Commissioners Joe Sabey and Lloyd Embry were welcomed.

Clean-up Day

Clean-up Day will be May 22, 2011 rather than May 15th. Mayor McConkey and Molly McConkey will be in charge of the planning.

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APPROVAL OF VOUCHERS

Vouchers Nos. 148715 through 148746 in the amount of \$43,472.97, dated April 4, 2011, were presented for review, approval and signatures. Approval granted.

ADJOURNMENT

MOTION: Adjourn the meeting. Moved by Smith, seconded by Davis. Passed 3 – 0.

MOTION CARRIED

Mayor Pro Tem Frantz adjourned the meeting at 8:34 PM.

Deputy Clerk/Treasurer

APPROVED _____