

# **TOWN OF HUNTS POINT**

## **COUNCIL MEETING**

**DECEMBER 7, 2009**



### **CALL TO ORDER**

Mayor Fred McConkey opened the meeting at 7:04 p.m. Councilmembers Jeri Boettcher, Ted Frantz, Kevin Hughes, Jim Nordstrom and Larry Williams were present. Staff present was Assistant Town Attorney Margaret King, Chief Jeff Chen of the Medina Police, and Town Administrator Jack McKenzie. Residents present were Annie Ottesen and Jill Davis.

### **APPROVAL OF THE MINUTES OF NOVEMBER 2, 2009**

**MOTION:** Accept the minutes of the Town Council Meeting of November 2, 2009 as written. Moved by Boettcher, seconded by Hughes. Passed 5-0.

**MOTION CARRIED**

### **POLICE REPORT**

Chief Chen described an unusual event that occurred at a Hunts Point residence. A gardener at the residence noticed a stranger standing in a pump house building and challenged the individual to find out who he was. The stranger ran away. An examination of the building showed nothing was missing or out of place. Police were unable to find the stranger.

Chief Chen also reported that two new officers were in field training at this time.

### **FIRE REPORT**

The fire report showed activity in October with three EMS calls.

### **COUNCILMEMBER RESIGNATION**

Mayor McConkey said he received a letter of resignation from the Council effective December 8<sup>th</sup> sent by Councilmember Williams. The resignation was accepted by the Council by consensus. Comments of appreciation for Mr. Williams' service came from the other Councilmembers. Mayor McConkey said Ms. Deanna Claypool had agreed to accept appointment to Council Position Five until the next general election.

### **PUBLIC HEARING FOR 2010 BUDGET**

Mayor McConkey suspended the Regular Meeting and called a Public Hearing to order at 7:17 PM to take comments upon the 2010 Annual Budget. After some discussion Mayor McConkey closed the Public Hearing at 7:20 PM and resumed the Regular Meeting.

**MOTION:** Approve and adopt Ordinance No. 479 establishing the Budget of the Town of Hunts Point for Fiscal Year 2010. Moved by Frantz, seconded by Nordstrom. Passed 5-0.

**MOTION CARRIED**

### **STRATEGIC PLAN 2010**

Mayor McConkey directed the Council to Task 6 of the 2010 Strategic Plan dealing with the Tree Code. He pointed out the changes provided by the Town Attorney. These included having the Town Arborist attend pre-application meetings, improving tree protections during construction, establishing a replacement standard of two trees for every significant tree removed, having the Town Arborist inventory the tree canopy for coverage every five years, establish fines and other practices for trees illegally taken and a mechanism for dealing with disputes between neighbors regarding trees.

Councilmember Nordstrom expresses his concern that the draft ordinance ran dangerously close to threatening property rights. This led to a discussion of protection for certain deciduous trees.

Councilman Hughes said he was interested in seeing that replanting takes place in those cases where tree removal occurs to facilitate construction and then the construction does not occur. Discussion of this subject ensued. Ms. King explained the use of performance bonds as a means of ensuring the replacement of trees.

### **BUILDING DEPARTMENT FEE CHANGES**

Mr. McKenzie said a study of building fee income and expenses for 2008 showed the cost of fees collected and expenses incurred almost matched. This was an indication that there wasn't room for an increase in building permit fees at this time. The Council reached consensus that the matter of building fee increases should be dropped.

### **RESULTS OF THE STATE AUDIT FOR THE YEARS 2006, 2007 & 2008.**

Mayor McConkey explained the audit finding concerning the financial management of the Fairweather Place Bulkhead Project. There were some problems that had to be resolved.

### **2009 STRATEGIC PLAN**

Mayor McConkey addressed the progress in meeting the 2009 Strategic Plan which had been reviewed with the presentation of the 2010 Strategic Plan at the Council Retreat in October.

### **BLOCK WATCH PROGRAM**

Mayor McConkey announced the information had been turned in for all of the neighborhoods and after compilation it would be provided to the Block Watch captains.

### **SR-520 PROJECT**

Mayor McConkey said he attended a meeting of the Transportation Committee to provide testimony regarding the selection of Option A+ for the final design of the plan for the west end of the bridge. He said the Committee selected Option A+ as the preferred alternative but a lot of people in Seattle were not happy with that.

**AUDIT OF ACCOUNTS**

Vouchers Nos. 148162 through 148194 in the amount of \$158,336.15 dated December 7, 2009 were presented for review, approval and signatures. Approval granted.

**ADJOURNMENT**

Mayor McConkey adjourned the meeting at 8:16 PM

\_\_\_\_\_  
Jack McKenzie  
Town Administrator

APPROVED \_\_\_\_\_

# **TOWN OF HUNTS POINT**

## **COUNCIL MEETING**

**NOVEMBER 2, 2009**



### **CALL TO ORDER**

Mayor Fred McConkey opened the meeting at 7:01 p.m. Councilmembers Jeri Boettcher, Kevin Hughes and Larry Williams were present. Councilmembers Jim Nordstrom and Ted Frantz were absent. Staff present was Assistant Town Attorney Margaret King, Lt. Dan Yourkoski and Officer Christina Morovies of the Medina Police, Deputy Clerk Sue Israel and Town Administrator Jack McKenzie. Residents present were Annie Ottesen and Jill Davis. Also present were Julie Merideth, Bill Blaylock, Bob Hornvedt and Daniel Babuca of the Washington Department of Transportation.

### **APPROVAL OF THE MINUTES OF OCTOBER 5, 2009**

**MOTION:** Accept the minutes of the Town Council Meeting of October 5, 2009 as written. Moved by Boettcher, seconded by Williams. Passed 3-0.

**MOTION CARRIED**

### **POLICE REPORT**

Lt. Yourkoski reported that there was no police activity in Hunts Point in September and introduced new officer Christina Morovies.

### **FIRE REPORT**

The fire report showed little activity in September with one false alarm.

### **PUBLIC HEARING FOR 2010 TAX LEVY**

Mayor McConkey recessed the regular council meeting and called a public hearing for the 2010 Tax Levy to order at 7:05 PM. Mr. McKenzie explained the basis for the 2010 Tax Levy was provided by the King County Assessor's Office. He said the assessed valuation of Hunts Point had dropped from \$853,534,091 for 2009 to \$773,885,286 for 2010. A reduction of \$79,648,805.

Mr. McKenzie pointed out that the total allowable increase in dollars would be \$4,186 if the one percent reflected in the draft ordinance was passed. After some discussion Mayor McConkey adjourned the public hearing and called the regular meeting to order at 7:08 PM.

Councilmember Hughes inquired about what happened if the ordinance was not brought to a motion. Mr. McKenzie said the Town would not be able to collect the \$2,555 provided by the one percent in 2010 but would still get the increase of \$1,681 from new construction. That added to last year's levy of \$255,523 would bring in the 2010 levy at \$257,154.

No motion was offered.

**FINAL PAYMENT APPROVAL-FAIRWEATHER BASIN BULKHEAD.**

Mr. McKenzie described a situation that occurred almost a year ago in which a payment was made to Pacific Pile and Marine to final the Fairweather Place Bulkhead construction project. The State Auditor discovered the Town had overpaid the final change order by \$25,956. Research showed that the final change order as approved by Council had been submitted without sales tax. When the final estimate was submitted the sales tax of \$25,931.85 was included and was paid in full. Since the Council had not included sales tax in their approval it constituted an overpayment.

Mr. McKenzie asked the Council to approve this overpayment.

**MOTION:** Authorize payment in the amount of 25,931.85 to Pacific Pile and Marine. Moved by Boettcher, seconded by Hughes. Passed 3-0.

**MOTION CARRIED**

**RECOGNITION OF DEPARTING COUNCILMEMBER**

Mayor McConkey honored retiring Councilmember Boettcher for her eight years of dedicated and faithful service on the Town Council. Her presented her with a commemorative clock suitably engraved for the occasion.

Councilmember Boettcher received the honor with grace and charm.

**WSDOT REPORT ON SR-520 PROJECT**

MS. Merideth provided an outline of the information to be presented. She described the effect of tolling on the driving habits of commuters including varying routes, changing travel times and using public transportation in lieu of individual trips.

She said WSDOT was building pontoons for the 520 bridge and they will be stored in Grays Harbor for use in case there is a catastrophe before the new bridge can be built and the old bridge must be restored. This will require another environmental evaluation.

Ms. Merideth told the Council that the subject of the presentation was the portion of the project from the east shore of Lake Washington to Redmond. The cost estimate for this work is \$776 million.

Mr. Babuca took the floor and described the environmental assessment of the HOV and Eastside Transit Project as it relates to the whole SR-520 Prooject.

A discussion of tolling followed. It was revealed that WSDOT anticipated the start of tolling in 2010 and that the peak hour toll will be \$3.80 per trip each way.

**BUILDING PERMIT FEE CHANGES**

Mayor McConkey told the Council he had asked for a review of the building permit fees to ascertain if they should be raised since it has been eleven years since the last increase. He also noted that the RCW places a prohibition fees that exceed the cost of the service provided.

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Ms. Israel explained the results of the review as it applied to the permit fees. She said that the fees shown in the examples provided represented about a twenty percent increase. Councilmember Williams asked that a comparison of Hunts Point rates, both current and proposed, be made with neighboring cities and towns.

Ms. King spoke to the controlling language in the RCW and the need for a cost study to establish the relationship of cost to recovery. Discussion followed.

**TREE CODE**

Discussion of the changes to the Tree Code revolved around the methods to be used to present a revised code to the residents and obtain input that would lead to a generally acceptable code that provides basic protection for trees in Hunts Point.

**WETHERILL NATURE PRESERVE**

Mayor McConkey noted the WNP had sent a letter of thanks for the support provided by Hunts Point. The support was a contribution of \$2,000.

**2010 PRELIMINARY BUDGET**

Mr. McKenzie said the draft preliminary budget in the packets was essentially the budget for adoption once it was modified to reflect the lower level of property tax receipts resulting from Council action in setting the levy.

**SPEED LIMIT SIGNAGE**

Councilmember Boettcher clarified a comment she made at the retreat concerning additional speed limit signage on Hunts Point Road. She said the additional speed limit sign should be on the road surface on the south edge of the property known as 3140 Hunts Point Road.

**AUDIT OF ACCOUNTS**

Vouchers Nos. 148162 through 148194 in the amount of \$158,336.15 dated December 7, 2009 were presented for review, approval and signatures. Approval granted.

**ADJOURNMENT**

Mayor McConkey adjourned the meeting at 8:16 PM

\_\_\_\_\_  
Jack McKenzie  
Town Administrator

APPROVED \_\_\_\_\_

# **TOWN OF HUNTS POINT**

## **COUNCIL MEETING**

**OCTOBER 5, 2009**



### **CALL TO ORDER**

In Mayor Fred McConkey opened the meeting at 7:03 p.m. Councilmembers Jeri Boettcher, Ted Frantz, Kevin Hughes, and Larry Williams were present. Councilmember Jim Nordstrom was absent. Staff present was Assistant Town Attorney Margaret King, Lt. Dan Yourkoski of the Medina Police, Deputy Clerk Linda Longmire and Town Administrator Jack McKenzie. Residents present were Bruce Swenson, Mark Bloom, Ken Fisher, and Jill Davis. Also present were James Fruedenberg of Clearwire, Matt Cagan of Verizon and Derrick Priebe of T-Mobile.

### **APPROVAL OF THE MINUTES OF AUGUST 3, 2009**

**MOTION:** Accept the minutes of the Town Council Meeting of September 14, 2009 as written. Moved by Nordstrom, seconded by Hughes. Passed 3-0.

### **POLICE REPORT**

Lt. Yourkoski reported that there was no police activity in Hunts Point in September.

### **FIRE REPORT**

The fire report showed increased activity in August with five incidents, one fire, two EMS calls and two false alarms.

### **KING COUNTY COUNCILMEMBER JANE HAGUE**

Ms. Hague spoke to the problems King County has in balancing their 2010 Budget. She said their Current Expense Budget came in at \$621 million and the Revenue side was \$40 million less. She, and most of the rest of the KC Council, had promised no new taxes. This was causing a serious crunch in achieving a balanced budget.

Ms. Hague said that there had been attempts to balance the budget using furlough days and staff reductions but the unions had foiled the County's efforts, in one case requiring payment to staff that had voluntarily taken days off. That payment was \$13 million.

In addition to the budgetary problems with the general operating funds a large problem with the Howard Hanson Dam, a flood control project on the Green River system above the Duwamish Valley, required the relocation or barricading of several County Governmental Offices located around the City of Kent. This preventive action has an estimated cost of \$35 million.

Ms. Hague described the efforts of the County Council to improve bus service on the Eastside while dealing with a \$120 million shortfall in Metro Transit. This is

separate and apart from the general county operation. She discussed rate increases and improvement of service with a short bit of light rail.

Ms. Hague mentioned that the King Conservation District wished to discontinue the general distribution of aid to the other local governments in the County in favor of doing grants with the money they did not commit to their own projects. This would be a major change and remove project money for drainage and storm water control for small agencies like Hunts Point.

#### CLEARWIRE POLE SHARING

Mr. McKenzie informed the Council that work had been progressing on arranging for tenants on the Clearwire Pole. It appeared that the replacement pole would be twenty feet longer and twice the diameter of the present pole.

He also said that the Town Attorney had a member of staff who was an experience expert in the area of utility leases and franchises. Ms. King added that his name was Chris Bacha and he was available to aid Hunts Point in its negotiations with Clearwire and the other wireless companies.

Mr. McKenzie also said that the tenants had agreed on a single building for all of them and that it would have to be air conditioned and have a standby generator installed. This led to considerable discussion about building design, size and equipage.

Mayor McConkey warned the potential tenants about the impact of construction on SR-520. Mr. Cagan said they were in close contact with WSDOT about the matter.

Discussion about impacts on the near neighbors followed.

#### COMCAST FRANCHISE RENEWAL

Mr. McKenzie explained that the time was drawing neigh to start negotiations for the franchise with Comcast Communications for cable services. He said the last time this happened was in 2005 leading to a five year agreement that expires on January 9<sup>th</sup>, 2012. FCC rules require that Comcast notify us of the need for renegotiation two years before the old agreement expires.

Mr. McKenzie reminded the Council that Hunts Point engaged in the negotiations as part of a consortium of cities and towns that included Clyde Hill, Medina, Newcastle, Burien and Normandy Park. The decision to join the consortium was made due to the large amount of changes in communications law since the last negotiations occurred. The membership in the consortium cost the Town one year's franchise fees.

Ms. King said there was a question regarding the calculation of "gross revenues" by Comcast that was not settled at the last negotiation and would probably come up again. She said Mr. Bacha told her that the definition of gross revenues had been in dispute for some time. Comcast determines the definition and applies it. Anyone who disputes their determination is invited to sue them. Since this would be a multi-million dollar effort no one has taken them up on it.

After some discussion the Council went on to other business.

### **2010 PRELIMINARY BUDGET**

Mr. McKenzie said this preliminary budget reflected the diminishing revenues and stable expenditures to be expected in 2010. He said that there were two residential construction projects that have, or will be, issued permits before year-end 2009. The start of these projects should improve income from the sales tax to a level above the \$5,000 to \$8,000 monthly level. In the recent past sales tax revenues have run at the \$15,000 monthly range due to the major projects which are reaching completion this fall.

He said the Current Expense Fund (001) is projected to have income of 798,859 and expenses of \$899,811. The difference of \$100,952 is a close match for the 2009 budget experience. The pattern of sales tax downward from \$214,289 in 2008 to a projected \$147,300 in 2010 is a major cause of the shortfall. This will be partially offset by growth in the combined utility taxes from \$92,720 in 2008 to a projected \$124,761 in 2010.

Mr. McKenzie said the Street Fund (101) is projected to have revenues of \$53,525 against expenses of \$18,500.

The Capital Improvement Fund (302) is projected to have revenues of \$75,000 and expenses of \$94,000. The expenses include \$25,000 from LID assessments and \$30,000 for the adaptation of the Video Surveillance System to recognize license plates.

Mayor McConkey asked about the status of the current Video Surveillance System. Mr. McKenzie said it had been recently upgraded to allow direct monitoring of the Hunts Point cameras by the monitor located in the Police Department at Medina City Hall.

### **HALLOWEEN GATHERING**

Mayor McConkey told the Council that group of residents wished to hold the annual Halloween gathering at Town Hall and have family activities and trick or treating in celebration of the day. He said they had requested a \$250 grant to fund the activity in advance of donations.

**MOTION:** Allocate two hundred and fifty dollars from the Current Expense Fund to be used for a Halloween Gathering at Town Hall. Moved by Hughes, seconded by Boettcher. Passed 4-0. **MOTION CARRIED**

### **RETREAT PLANNING**

Mayor McConkey announced the Annual Retreat would be held on October 30<sup>th</sup> from 8:30 AM to 3:30 PM. He said a continental breakfast would be available and lunch would be served. The morning session will involve the Council and Staff and the afternoon session would include the Planning Commission, Park Commission and contract staff. Subjects to include, Shoreline Management Act, Boy Scout Projects, the Block Watch Program, the 2010 Budget, the SR-520 Project, Halloween activities and the 2010 Strategic Plan.

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**Councilmember Williams questioned if others had been concerned about “pushback” from the residents over the update of the Shoreline Management Plan for Hunts Point. After discussion it came down to the fact the this update had been established by the State Legislature and there was little room for variation from their intentions.**

**AUDIT OF ACCOUNTS**

**Vouchers Nos. 148095 through 148126 in the amount of \$70,634.28 dated October 5, 2009 were presented for review, approval and signatures. Approval granted.**

**ADJOURNMENT**

**Mayor McConkey adjourned the meeting at 8:16 PM**

\_\_\_\_\_  
**Jack McKenzie**  
**Town Administrator**

**APPROVED** \_\_\_\_\_