

# **Town of Yacolt**

## **Special Town Council Meeting**

### **Minutes**

**Monday, January 22, 2024**  
**7:00 PM**  
**Town Hall**

#### **Call to Order**

7:00 PM

#### **Flag Salute**

#### **Roll Call**

Council Members Present: Joe Wisniewski, Kandi Peto, Craig Carroll, Ronald Homola, Marina Viray

Also present: Mayor Ian Shealy, Attorney David Ridenour, Public Works Director Terry Gardner, and Clerk Stephanie Fields

#### **Late Changes to the Agenda**

None

#### **Citizen Communication**

None

#### **Executive Session**

Mayor Shealy called for an Executive Session at 7:02 pm. to discuss potential litigation. The Town Attorney and Clerk attended the meeting along with the Mayor and all Council members. At 7:32, the Mayor extended the Executive Session until 7:40 pm, at which time the regular meeting reconvened.

#### **New Business**

##### **Railroad Avenue Subdivision Final Plat Approval**

Cornell and Jordan Rotschy answered various questions regarding the subdivision's stormwater facilities, the HOA and ARC review. Motion was made to Approve the Final Plat.

**Motion:** Homola

**2<sup>nd</sup>:** Carroll

**Aye:** Wisniewski, Peto, Carroll, Homola, Viray

**Nay:** 0

**Motion Carried**

##### **RR Ave Subdivision Security Agreement for Project Completion (with Performance Bond)**

Attorney Ridenour presented the punch-list of items to be completed before Jackson Civil Engineering does a final walk-through of the subdivision. Once they are satisfied that all is complete, the bond is to be released. This bond allows 6 months for final project completion. Motion was made to approve the

Security Agreement for Project Completion with the Performance Bond substantially similar to the one presented to Council.

**Motion:** Homola

**2<sup>nd</sup>:** Viray

**Aye:** Wisniewski, Peto, Carroll, Homola, Viray

**Nay:** 0

***Motion Carried***

**RR Ave Subdivision: Agreement for Two-Year Stormwater Facilities Maintenance by Developer (with Performance Bond)**

It was discussed that Rotschy would need to send the Town a copy of their Stormwater Facility Inspection Report after every inspection, at least once/year, in 2024 and 2025, in July or August.

Motion was made to approve the Stormwater Facilities Maintenance Security Agreement with Performance Bond in a form substantially similar to the one presented to Council.

**Motion:** Homola

**2<sup>nd</sup>:** Carroll

**Aye:** Wisniewski, Peto, Carroll, Homola, Viray

**Nay:** 0

***Motion Carried***

**RR Avenue Subdivision: Declaration of Easements, Covenants, Conditions and Restrictions for Stormwater Facilities Maintenance**

Attorney Ridenour explained that this would be recorded with the land, not only in the HOA Agreement. Motion was made to approve the 'Declaration of Easements, Covenants, Conditions and Restrictions for Maintenance of Stormwater Facilities' in a form substantially similar to the version presented to the Council, and authorize the Developer to sign and record the Declaration pursuant to the instructions of the Town Attorney.

**Motion:** Peto

**2<sup>nd</sup>:** Homola

**Aye:** Wisniewski, Peto, Carroll, Homola, Viray

**Nay:** 0

***Motion Carried***

**RR Avenue Subdivision: Homeowner's Association, (CC&Rs, Bylaws and related documents)**

Councilmember Homola asked that the prohibition on fireworks in section 4.8 be removed, as this is not consistent with the Town's Code. He also asked about the duration of the HOA being 35 years, and then suggested that in the last sentence of section 12.8 the words "Clark County" should be replaced with "the Town of Yacolt". Motion was made to approve the 'Declaration of Covenants, Conditions and Restrictions for the Railroad Avenue Subdivision Homeowner's Association' in a form substantially similar to the version presented to the Council, and authorize the Developer to sign and record the Declaration pursuant to the instructions of the Town Attorney.

**Motion:** Carroll

**2<sup>nd</sup>:** Peto

**Aye:** Wisniewski, Peto, Carroll, Homola, Viray

***Motion Carried***

**Railroad Avenue Subdivision: Resolution to Approve Agreements and Declarations for the Railroad Avenue Subdivision**

Motion was made to approve Resolution #622 describing its approval of agreements and declarations for the Railroad Avenue Subdivision and authorizing the Town's Mayor and staff to execute such agreements and related documents as necessary to process the Town's acceptance of the Subdivision, with a minor change on item #5 which was suggested by Councilmember Carroll.

**Motion:** Peto

**2<sup>nd</sup>:** Homola

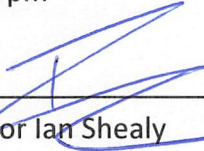
**Aye:** Wisniewski, Peto, Carroll, Homola, Viray

**Nay:** 0

***Motion Carried***

**Adjourn**

8:47 pm

  
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Mayor Ian Shealy

  
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Clerk Stephanie Fields

Approved by Council vote on Feb. 12, 2024