

Town of Yacolt

Town Council Meeting Minutes

Monday, November 13, 2023

7:00 PM

Town Hall

Call to Order

7:00 PM

Flag Salute

Roll Call

Council Members Present: Ian Shealy, Kandi Peto, Craig Carroll, Ronald Homola, Marina Viray

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

Late Changes to the Agenda

Witt Property Acquisition discussion to be added after the last executive session.

Approve Minutes of 10-9-23 Meeting

Motion: Peto 2nd: Homola

Aye: Shealy, Peto, Carroll, Homola, Viray

Nay: 0

Motion Carried

Approve Minutes of Special Council Meeting 10-16-23

Motion: Viray 2nd: Shealy

Aye: Shealy, Peto, Carroll, Homola, Viray

Nay: 0

Motion Carried

Approve Minutes of Council Special Meeting and Budget Workshop 10-23-23

Motion: Homola 2nd: Shealy

Aye: Shealy, Peto, Carroll, Homola, Viray

Nay: 0

Motion Carried

Citizen Communication

Mark Langbecker and Owen Belmont both expressed concern about the stormwater runoff that will flow into Yacolt Creek from the pond at the new subdivision at Railroad and Hoag. One of them had previously spoken with our Town Engineer, who assured him that the stormwater facility was working as it should.

Another citizen announced that a female employee from Backroads was followed part-way home by a man who forced her to stop her car near Fargher Lake, where he jumped out of his vehicle and rushed toward hers. The woman reported the incident to the Sheriff's office and gave them the license plate

number and description of the man and his vehicle.

Executive Session

Mayor Listek called for an Executive Session to discuss litigation with the Town's Attorneys. The session ran from 7:26-7:46pm. The Mayor, Attorney, Clerk, and all Council Members attended the session. When the meeting was re-convened, a motion was made to send the offer discussed in the Executive Session to the Plaintiff.

Motion: Carroll 2nd: Shealy
Aye: Shealy, Peto, Carroll, Homola, Viray **Nay:** 0
Motion Carried

Unfinished Business

Request to Keep a Goat in Town

Cindee Clark asked Council for permission to keep her mini potty-trained goat in her house, as the goat is used to living in the house with her dogs and cat, and basically behaves just like a dog. Motion was made to allow the goat to remain living in the house in Town with Cindee.

Motion: Carroll 2nd: Viray
Aye: Shealy, Peto, Carroll, Homola, Viray **Nay:** 0
Motion Carried

Ordinance #593 Update

The Washington Department of Ecology contacted Attorney Ridenour to let him know they really appreciated the work the Town put into our Ordinance regarding the FEMA Flood Damage Prevention Program.

Update on Elevator Service Plan

Clerk Fields presented that she had researched some plan and price options, and while there was range of comparable plans and prices, the service we've gotten from Schindler – or lack thereof – still points toward us shopping for a different service provider early in 2024, and giving Schindler notice of termination this spring.

Inmate Work Crew Update

Clerk Fields presented Public Works Administrative Assistant Sean LaBarbera's report on his communication with the Department of Corrections regarding us having inmate work crews in the future: There is no likelihood in the foreseeable future that the Town will get another inmate work crew, and contrary to DOC's press release, no fire crews from Larch were sent to the Longview jail.

Update on Battle Ground School District's Capital Facilities Plan

Attorney Ridenour announced that BGSD is proposing changes to all of their agencies regarding the School Impact Fees Calculations (thanks to his bringing some areas of concern to their attention). He discussed the calculations with their Attorney, LeeAnn Bremer, including Council having discretion with regard to calculation.

New Business

Conditional Use Permit Public Hearing/Request

Kaeli Carroll, the wife of Councilmember Craig Carroll, applied for a Conditional Use Permit to be able to convert her garage (in a residential zone) to a commercial use, specifically a hair salon. Craig Carroll was

asked to step outside during the hearing. Mayor Listek introduced the subject and gave instructions regarding procedures and testimony. She then closed the regular meeting and opened the hearing at 8:05 pm. Kaeli presented that she wants to convert the 3rd bay of her garage into a beauty salon, and described her plans. Attorney Ridenour explained that the Town had not had enough information or time to have given proper notice for the Hearing, so he said a decision could not be made at this meeting, but testimony could be made and the hearing could be continued in the future, when proper notice could be made, after enough information had been submitted by the applicant. He also advised Kaeli that she would need to either put in writing that she wanted to have her Conditional Use and Building Permits considered separately, or else she would need to consolidate the two permits into a single package. Cindee Clark was sworn in and testified that she thought the salon was a great idea, and that the Town's residents need a local salon. Councilmember Shealy said it would be great especially for the elderly not to have to drive at least 15 miles away just to get their hair cut. Councilmember Homola asked the applicant about hours/days of business, and where people would park. Mayor Listek noted that a new business in Town would bring in more tax revenue to the Town. Hearing no more testimony, Mayor Listek closed the Public Hearing at 8:23 pm and re-opened the regular meeting. A motion was made to continue the hearing at a future date.

Motion: Homola 2nd: Viray

Aye: Shealy, Peto, Homola, Viray **Nay:** 0 **Absent:** Carroll

Motion Carried

EMS Levy Hearing and Resolution #619

Mayor Listek opened the Public Hearing at 8:25 pm. Fire Chief Bryce Shirley introduced himself and explained how the regular levies are part of the Interlocal Agreement that sustains the EMS. Mayor Listek closed the hearing and re-opened the regular meeting at 8:32 pm. Motion was made to adopt Res. 619, Approving the EMS Levy for 2024.

Motion: Carroll 2nd: Viray

Aye: Shealy, Peto, Carroll, Homola, Viray **Nay:** 0

Motion Carried

Revenue Hearing and Resolution #620

Mayor Listek closed the regular meeting and opened the Public Hearing at 8:34 pm. Clerk Fields presented her recommendation to adopt the Resolution, with a 1% increase in property taxes. After some discussion, Mayor Listek closed the Hearing and re-opened the regular meeting at 8:38 pm. Councilmember Homola moved to adopt the Resolution as written. No second was made. Councilmember Peto moved to adopt the Resolution with 0% increase in taxes.

Motion: Peto 2nd: Carroll

Aye: Shealy, Peto, Carroll, Viray **Nay:** Homola

Motion Carried

Budget Public Hearing #1

Mayor Listek closed the regular meeting and opened the Public Hearing at 8:39 pm. Councilmember Homola commented that he thought the Mayor's Message was very tasteful. With no further testimony, the Mayor closed the Hearing and re-opened the regular meeting at 8:41 pm.

HUD CDBG/HOME Grants Amendment #2

This Amendment asks all participant agencies in the program to agree to the terms of Section 3 of the HUD Act of 1968. Councilmembers all read through Section 3, and decided that since it costs us

nothing, we should go ahead with it.

Motion: Carroll

2nd: Peto

Aye: Shealy, Peto, Carroll, Homola, Viray

Nay: 0

Motion Carried

Interlocal Agreement for Cooperative Climate Planning/Research

Since we are required to do this anyway, and participation in this ILA caps our costs, motion was made to have the Town participate in the ILA.

Motion: Shealy

2nd: Carroll

Aye: Shealy, Peto, Carroll, Homola, Viray

Nay: 0

Motion Carried

C-Tran Interlocal Agreement

Attorney Ridenour mentioned that he is working on an extension of the C-Tran Interlocal Agreement, which he plans to have ready for the next regular Council Meeting.

Town Clerk's Report

- Has been very busy with the Budget, Permits, and preparations for the Christmas Tree Lighting which is to take place on Saturday, December 2nd.
- She wished everyone a Happy Thanksgiving.

Public Works Department Report

- Very busy cleaning up lots of leaves and trimming up low branches on trees.
- Will be working on Christmas Tree lights soon.
- Happy Thanksgiving!

Attorney's Comments

- Boyang's delicious pumpkin bread will be at the next meeting!

Citizen's Communication

None

Council's Comments

Carroll – Happy Thanksgiving, everyone!

Viray – Attended the Mosquito Control Board meeting. 30,000 mosquitoes were trapped this year! They approved their 2024 Budget, have had some computer issues, and lost an Administrator. 5 of their Board Members' terms have expired.

Congratulations to all who won in the November 7th election.

Said the Mayor's Message was well done.

Mayor's Comments

- Excited but sad to be leaving her position.
- Excited for the Tree Lighting; drew out a diagram for where everything should go.
- So thankful that we have a Council who gets along so well; feels very blessed.
- Mentioned that Council Chambers likely won't be done and able to be used this year.

Approve to Pay Bills on Behalf of the Town

Motion: Homola **2nd:** Viray

Aye: Shealy, Peto, Carroll, Homola, Viray **Nay:** 0

Motion Carried

Executive Session

Mayor Listek closed the regular meeting and called for an Executive session to discuss Real Estate purchase price and terms from 9:18-9:38 pm. The Mayor, Attorney, Public Works Director, Town Clerk, and Council attended the session. The Mayor extended the session to 9:53 pm, and again until 10:10 pm, and the regular meeting was re-convened at 10:10 pm.

The Council and Staff then went through the proposed Purchase and Sale Agreement item by item. Motion was made to send an offer to the Witts for the purchase of the property, with the price and terms as discussed.

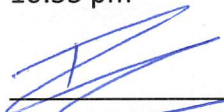
Motion: Homola **2nd:** Carroll

Aye: Shealy, Peto, Carroll, Homola, Viray **Nay:** 0

Motion Carried

Adjourn

10:55 pm

 1-3-2024
Mayor Katelyn Listek *Ian Shealy*


Clerk Stephanie Fields

Approved by Council vote on 12/11/2023