

# Town of Yacolt Town Council Meeting Minutes

Monday, July 11, 2022 7:00 PM Town Hall

Call to Order

7:00 PM

## Flag Salute

## **Roll Call**

Council Members Present: Amy Boget, Michelle Dawson, Joshua Beck, Ronald Homola, Marina Viray Also present: Town Attorney David Ridenour, Public Works Director Terry Gardner, Clerk Stephanie Fields

\*As Mayor Listek was unable to attend, Mayor Pro Tem Ronald Homola Presided over the meeting.

# **Late Changes to the Agenda**

Mayor Pro Tem Homola introduced 4 additions to the agenda:

As item #10: Loaning inflatable slide to Fire EMS for their Safety Fair? (brought up by Clerk Fields on behalf of Mayor Listek)

As item # 11: Discussion of National Night Out (brought up by Council Member Beck)

As item #12: Parade Dress Code (brought up by Council Member/Mayor Pro Tem Homola)

As item #13: Filing a Fidelity Bond Claim (brought up by Attorney Ridenour)

# **Approve Minutes of 6-13-22 Meeting**

Motion to approve minutes from June  $13^{\rm th}$  meeting with language corrections as suggested by Council Member Boget

Motion: Beck

2<sup>nd</sup>: Boget

Aye: Boget, Dawson, Beck, Homola, Viray

Nay: 0

**Motion Carried** 

# Approve minutes of 6-20-22 Special Meeting

Motion: Boget

2<sup>nd</sup>: Beck

Aye: Boget, Beck, Homola

Nay: 0

Abstain: Dawson, Viray

**Motion Carried** 

# **Citizen Communication**

None

#### **Unfinished Business**

# **Battle Ground School District Interlocal Agreement Update**

Attorney Ridenour said as he has been reviewing the Agreement as proposed, some questions arose regarding procedures and the SEPA determination. So they are slowing down the schedule and are tentatively scheduling a representative from Battle Ground School District for our August meeting, for which we will have time to post a legal notice for a public hearing.

# **Records Review Plan Update**

Clerk Fields said that she is working on a schedule for the 2 temporary employees to begin the review project, beginning with a training session on July 25<sup>th</sup>, and then starting the actual work by the first of August.

# **Building Department Delegation Revisions**

Attorney Ridenour reported that he has not drafted a resolution yet, although he said it should not take him too much time to create. He asked for any more input or questions from Council. Council Member Boget was concerned about giving all the authority to the Mayor, and asked about checks and balances. If there is a land use component, she feels that the application should not be approved by just the mayor. Homola was also concerned about checks and balances. He asked about building footprint changes. Ridenour responded that State Building Codes would regulate that. Homola felt that we should not diverge from what our professional consultants determine. Boget said that if there would be any divergence between the Mayor's determination and that of the consultants, or if the Mayor was simply uncomfortable with a consultant's decision, then Council should be the ones to make the final decision. Boget pointed out the need to differentiate between "shall" and "may" in the resolution. Ridenour said that the Mayor's designee will be acting under the orders of the Mayor. Verbiage on the Cost Recovery Agreement might be made to say that the Mayor would have the discretion to lower the fee for a consultant's charge, but not raise it. Ridenour emphasized that we want to treat everyone fairly/equally. He asked Council Members to send him emails if they have more input between now and the next meeting, as he drafts his resolution. Boget suggested a flow chart, for sending application info to one consultant, then the next, and so on. She was concerned about the potential costs to an applicant. Ridenour replied that if an application was super simple, then it wouldn't incur many charges anyway. On the other hand, if it's not simple, then it should incur more charges.

#### **New Business**

## **Permit Applications Review for Approval**

There were three permit applications presented to Council.

1. The first was for a building permit with a Variance for Justin and Sadie David, at 409 E Clark St. They applied to build a metal garage/shop, but also wanted to build it within the side setback of their property. Sadie David got up and spoke on behalf of their proposed building within the setback. Ridenour explained that setbacks are in place for several reasons: space, visibility, transportation, and height are among them. He also explained that the applicant must be able to

satisfy conditions in YMC 18.45.020 for a variance. Clerk Fields was asked to print out the YMC section and hand it out to attendees for reference. Homola said he is not comfortable making a decision which is counter to our engineer's recommendations. Sadie relayed their plans and some history regarding them. Homola asked if they could just as well benefit from a garage which could be built with no setback issues. Sadie answered that they did not want to build a garage. She felt like their building would not be detrimental to anyone, especially with the wide swale between their property and the street. Beck then raised the question of what if the swale does eventually get developed? Ridenour then pointed out that standards exist so we can maintain consistency. Conditions for variances (in code) are there to guide councils in all future circumstances. Boget asked Ridenour if council were to make a change in the building code regarding setbacks, would this application be affected by that code change? Ridenour explained that development codes are part of our growth management plan, so to change them would require going through the Department of Commerce and other agencies. This would take quite some time, and there are no guarantees that our changes would be accepted. Boget suggested holding over the application for a time when perhaps the code does get changed. She asked where the 15-foot setback distance originated from? If not arbitrary, then the decision is already made for them. Ridenour once again mentioned protecting everyone's rights by treating everyone the same. He explained how/why Jackson Civil Engineering came to their determination to recommend denial of this application. He said Council could still approve the variance despite the engineer's determination, but Council would then be obligated to defend their decision through the code. Boget then reluctantly made a motion for denial of the variance, per the Engineer's memo.

**Motion:** Boget

2<sup>nd</sup>: Homola

Aye: Boget, Dawson, Beck, Homola, Viray

Nay: 0

**Motion Carried** 

2. Next was a re-roof application for Edward Kantola at 410 S. Spruce Ave. All submittals had been approved by the building inspector, with one condition. Boget moved that the application be approved, with the condition.

**Motion:** Boget

2<sup>nd</sup>: Dawson

Aye: Boget, Dawson, Beck, Homola, Viray

Nay: 0

**Motion Carried** 

3. Last was a building permit for a new single-family home to be built where an old one was just demolished, at 107 W Jones Street. All submittals had been turned in, and we were only waiting for one final Engineering approval, which was expected to arrive within a day or two. Beck moved that the application be approved pending the Engineer's final approval.

Motion: Beck

2<sup>nd</sup>: Boget

Aye: Boget, Dawson, Beck, Homola, Viray

**Motion Carried** 

#### **C-Tran Update**

Mayor Pro Tem Homola read an email sent to Mayor Listek from C-Tran, with a very brief overview of their recent actions.

#### **Rotate Finance Committee:**

Council Member Boget nominated Council Member Dawson to serve on the finance committee for the next 6 months.

**Motion:** Boget

2<sup>nd</sup>: Virav

Aye: Boget, Dawson, Beck, Homola, Viray

Nay: 0

Yacolt Town Council Meeting July 11, 2022

#### **Motion Carried**

## **Rotate Mayor Pro Tem**

Council Member Dawson nominated Council Member Beck to serve as Mayor Pro Tem for the next 6 months.

Motion: Dawson 2<sup>nd</sup>: Viray

Aye: Boget, Dawson, Beck, Homola, Viray Nay: 0

**Motion Carried** 

# Loan Slide to Fire/Ems for their Safety Fair on June 30th

Clerk Fields said the Fire Chief had asked if they could use our new inflatable slide for their Safety Fair. Mayor Listek thought the question should be posed to Council for a decision. Fields said some of the Mayor's concerns included supervision, a back-up plan if something were to happen to the slide just days before we want to use it for our National Night Out, and that we don't want any other people/entities thinking we are in the slide rental business. After some discussion, Beck volunteered to supervise the slide, and Public Works Director Gardner volunteered to set it up and put it away. Then Beck moved that we go ahead and let the slide be loaned to Fire/EMS for their Safety Fair.

Motion: Beck 2<sup>nd</sup>: Dawson

Aye: Boget, Dawson, Beck, Homola, Viray Nay: 0

**Motion Carried** 

# **National Night Out**

Beck led a discussion regarding plans for National Night Out. Fields said she was shopping online and we should be able to get all the "groceries" for under \$1000. She asked if anyone wanted polish dogs or only regular hot dogs, and all agreed that we should offer both. Council discussed needing volunteers, and Council all agreed that Root Beer Floats should also be served.

#### **Dress Code for Parades**

Homola said he had been to a parade recently where there were women dancing in scant clothing. He suggested that we should implement some sort of dress code for our parades in the future. Dawson countered that parades are a place for people to freely express themselves, and she would be opposed to dress code regulations. In general, Council felt like in our parades, entrants have always behaved themselves, and so they decided "if it aint broke, don't fix it."

## Filing a Fidelity Bond Claim

Ridenour asked Council if they would want him to file a claim against the bond of a former employee in order to help compensate the Town for the cost of the two temporary employees who are going to be doing the records review. He shared some history regarding the records room grant and the associated activities which took place in the past. Then he explained how a bond claim works. Beck made a motion for Ridenour to move forward with the claim.

Motion: Beck 2<sup>nd</sup>: Dawson

Aye: Dawson, Beck, Homola, Viray Nay: 0 Abstain: Boget

**Motion Carried** 

## **Town Clerk's Report**

- The Town has received its 2<sup>nd</sup> and final tranche of the ARPA SLFRF funds, in the amount of \$250,920.
- We have not heard anything back from Richard Boone regarding the Yacolt Ghost Team using Field #2.
- Heads-up: Clerk is planning on being on vacation Aug. 12-21, then beginning Budget Season. The
  first Budget Workshop is planned for Aug. 29<sup>th</sup>. (Dawson said she will be out of Town and will
  not be making that meeting.)
- When Mayor returns to Town, will get her signature on latest Treasurer's report and put that and the YTD financials through June on the Town website.

## **Public Works Department Report**

- Thanked all the volunteers who helped with Rendezvous Days.
- Seems like they're mowing constantly. Won't have inmates for at least the next two weeks due to a COVID outbreak at Larch.
- We were approved for a TIB grant for about \$56,000 to crack seal all of our roads.

# **Attorney's Comments**

- During the records review work, he will be here often, but not be charging his regular rates because he can do other work and just be here as a consultant for them if need be.
- Building department question: all authority to the Mayor, with discretion over cost recovery? If any issues, then bring to Council for review? Please email him with any thoughts.
- Many projects will be coming to a head in the next couple of weeks.

#### **Citizen Communication**

Rod Hazen said the Town looks better than ever. However he complained of the mess left by people's fireworks. His property was made a mess of by others and so was the school parking lot. He said he doesn't want fireworks in Town. He suggested paying someone to patrol around checking for legal fireworks. Gardner mentioned that the county said they'd they would come clean up the school parking lot.

## **Council's Comments**

- Dawson Said someone tipped her off about some kids who'd done some graffiti on the train and at the park, and they also broke a window on the train. One kid was named Johnny, and the other is Preston.
- Boget Will be gone for the August 8<sup>th</sup> meeting as well as National Night Out. She will be in Texas.
- Homola May be out of Town for the August meeting too, but will join the meeting by phone.

## **Mayor's Comments**

None

# Approve to Pay Bills on Behalf of the Town

Motion was made to pay the bills on behalf of the Town

Motion: Boget

2<sup>nd</sup>: Beck

Aye: Boget, Dawson, Beck, Homola, Viray

Nay: 0

**Motion Carried** 

<u>Adjourn</u>

10:33 pm

Mayor Katelyn Listek

Clerk Stephanie Fields

Approved by Council vote on 8-8-2022