**TOWN OF YACOLT, WASHINGTON**

**TOWN COUNCIL MEETING MINUTES**

**DATE:** December 20, 2010

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL ATTENDANCE**

**PRESENT:** Mayor Joe Warren

Councilmember(s): Karen Holyk, Cindy Marbut, Dave Hancock, James Weldon

**ABSENT:** Councilor Ron Madler

**STAFF:** Pete Roberts: Public Works Director

Crystal Bielec, Customer Service Clerk

Tim Wedding, Public Works Maintenance

David Ridenour, Town Attorney

**ABSENT:** None

**MINUTES OF PREVIOUS MEETING**

MOTION: Councilmember: Hancock moved to approve the minutes

SECOND: Councilmember: Weldon

VOTE: 4 - 0

YES: Councilmember(s): Holyk, Marbut, Hancock, And Weldon

NO: - 0 -

ABSENT: Madler

Councilor Holyk asked that the statement on the approval of 2011 Budget read the council will be notified before any item goes over budget.

\*Motion passed.

**LATE CHANGES TO THE AGENDA**

None

**CITIZEN COMMUNICATION:** Resident Patty Benge wanted to address the council with minutes from the November 15th, 2010 meeting. (Item of concern is attached) She also wanted to know why Lynne Oldham was denied unemployment benefits. The Mayor told Patty that the Employment Security Department is the one to make that decision, not him. Resident Melody Baker filed a restraining order against Lynne Oldham. Lynne has driven by her house twice with threatening looks. Melody feels this behavior is irrational and felt she needed to file the restraining order. Resident Lisa Welker asked the council what is the process for becoming a council member. The Mayor told her at election time there is an application, filing process, and an interview process. Lisa thanked the Mayor. Kelly Roberts, Jennifer Haley, David Casteel, Julie White, Pat Spence were all here to discuss Item C on the Agenda. Resident Darryl Cahoon was concerned about rumors that he had heard about Pete Roberts building a house next to him and possibly condemning Darryl’s property. The Mayor assured Darryl that he had heard of no such thing, and that the process for that is a long one. Darryl let the council know PUD has recently came and weatherized his house and he knows that his house isn’t the prettiest on the block. Pete Roberts assured Darryl that he had no intention of that and he thinks they will be fine neighbors.

**OLD BUSINESS:**

**A. Yacolt Comprehensive Plan-Jeff Niten**

Jeff addressed the council about a draft public awareness plan. Jeff would like as much public involvement as possible. The goal he is working towards is a plan that states when a Sewer Facility Plan is adopted then the Urban Growth Boundary can be expanded. Jeff is looking towards adopting the comprehensive plan by fall of 2010 to go into action January 2012. Councilor Holyk stated the Town has not decided which way to go on the sewer plan yet. The estimated population of Yacolt is 1500 people and the Town cannot extend at this time until there is a sewer plan on place. The council agreed to have the public awareness meeting sometime in the spring. Jeff will draft a community invite for the council to review. All residents will receive letter in the mail notifying them of when the open meeting will be.

**B. Proposed Inter-local Agreement with Clark County Animal Control:**

David Rindenour told the council that we have had the proposed agreement since October and there were still some remaining questions between the county and the Town. One was the fee structure and the other was the renewal process.

MOTION: Councilmember: Marbut moved to approve the Inter-local Agreement with Clark County Animal Control.

SECOND: Councilmember: Holyk

VOTE: 4 - 0

YES: Councilmember(s): Holyk, Marbut, Hancock, And Weldon

NO: - 0 -

ABSENT: Madler

\*Motion passed.

**C. Proposed No Smoking Ordinance #473:**

This topic was covered in the workshop that was December 13th, 2010. The Ordinance covers the Town Park and any future parks, and all Town sponsored events. At events there may be designated smoking areas. Resident Julie White asked how this would be enforced. The Mayor said by posting signage and employees will have the right to confront smokers who are disobeying the ordinance. Councilor Marbut stated the Ordinance has a $100.00 fine for offenders. Councilor Holyk wanted it known that there had been no citizen complaints only a complaint by an employee about smoking and the debris it causes. Resident Steve Unruh agreed with the No Smoking Policy and says he will encourage kids at the park to not smoke.

MOTION: Councilor Weldon made a motion to approve Ordinance #473.

SECOND: Councilor Hancock

VOTE: 3-1

YES: Councilmember(s): Marbut, Hancock, And Weldon

NO: Holyk

ABSENT: Madler

\*Motion passed

**NEW BUSINESS:**

**A. Proposed Ordinance #472-Amending Ordinance #465 Section 6, Item A, Renewal Procedures for Pet Licenses:**

There was a discussion of changing the renewal process to a rolling calendar year.

MOTION: Councilmember: Hancock moved to approve Ordinance #472.

SECOND: Councilmember: Weldon

VOTE: 4 - 0

YES: Councilmember(s): Holyk, Marbut, Hancock, And Weldon

NO: - 0 -

ABSENT: Madler

\*Motion passed

**B. Proposed Resolution #433 New Fees for Animal Licensing**

Yacolt currently has lower fees than Clark County. The proposed fee change is to help offset the cost of Animal Control services. There was a lot of discussion of why cats how to be licensed. Most residents did not think cats should have to be licensed. David told the council and resident’s that Yacolt has had a cat Ordinance since before he was involved in the Town and it was little known and little enforced. David also said the largest single bill from Clark County last year was for cats. Resident Jennifer Haley mentioned she has had cats spayed/neutered through the PAWS program. The Mayor asked Jennifer is she could drop off contact information at Town Hall for the PAWS program. There will not be a licensing fee for service animals. There will be a senior discount for one dog and one cat. No license is required for animals under six months. Resident Lisa Welker asked if there was a limit on how many animals you can have. David told her that Yacolt doesn’t, but the county does.

MOTION: Councilmember Marbut made a motion to approve Ordinance #433.

SECOND: Councilmember Weldon

VOTE: 3-1

YES: Councilmember(s): Marbut, Hancock, And Weldon

NO: Holyk

ABSENT: Madler

\*Motion passed

**C. Building Permit Request-Fred Harris & Pete Roberts**

**301 W Cushman:**

Fred Harris owns this property and supports removing the existing mobile and Pete Roberts building a new home in its place. Resident’s asked if it was going to look like Roger Foley’s properties and Pete told them it would be similar to Sam Sheubal’s houses that were built on Cushman. Councilor Holyk asked if Pete should be signing off on his own building permit. The Mayor told her he made the decision to have Tim sign off the building permit. Councilor Holyk asked if the setback that the variance request was for was on Darryl Cahoon’s side of the property. Pete said it was not. There were some questions about a 15’ wall being built around the house. There is no such plan for a 15’ wall. There was a lot of discussion about the variance for the setback. The zoning ordinance requires a 15’ setback from sidewalk on corner lots, Pete is asking for a variance for a 12’ setback to give more space and privacy between Darryl and Pete’s houses. Jenell Wedding asked if she could address the council. She said she has been to many council meetings and there has never been this much discussion on a reasonable request and that she felt the only reason this request was drawing so much attention was because one council member has a problem with Pete Roberts. Resident Patty Benge agreed with Jenell but said Pete has created his own reputation. Melody Baker asked when all this was going to stop. There was discussion whether the property was zoned residential or commercial. Councilor Marbut stated it was residential. \*There was a hardship read. Correction from Councilor Holyk at January 3rd, meeting.

MOTION: Councilmember Marbut made a motion to approve building permit.

SECOND: Councilmember Weldon

VOTE: 3-1

YES: Councilmember(s): Marbut, Hancock, And Weldon

NO: Holyk

ABSENT: Madler

\*Motion passed

**D. Proposed Resolution #442-Credit Card Policy:**

At a workshop on December 13, 2010 there was discussion of establishing a credit card policy. David told the council Crystal had sent him over a draft resolution and added a few things. The policy follows standard policy language and some of it was copied from other municipalities. Councilor Holyk asked if there should be positions stated in the policy that will have credit cards. Councilor Marbut told Councilor Holyk in the Ordinance it says the Town Clerk and the Mayor have the authority to issue credit cards to employees as they see necessary. The names of employees will be on the credit cards. There is strict accountability for purchases. All employees that are assigned credit cards have to sign an agreement. The credit card statements are public record.

MOTION: Councilor Weldon made a motion to approve Resolution #442.

SECOND: Councilor Marbut

VOTE: 4-0

YES: Councilor(s): Marbut, Hancock, Weldon, And Holyk

NO: -0-

ABSENT: Madler

\*Motion passed

**E. Request Moving Administrative Office of Bloomquist Septic Inspection-204 W Yacolt Rd**

Kelly Roberts said the reason for this request is that the Robert’s family is moving and so is the office assistant for Bloomquist. This eliminates the ability to have in home office space. There will be filing cabinets and a desk at the above address, along with the office assistant. There will be no advertisement that Bloomquist is in the building. They do not anticipate to have foot traffic, but can’t guarantee that once in a while a customer will need to pay a bill or obtain some information from office assistant. There will be no heavy equipment stored at the property. Many residents’s asked why this was not considered a conflict of interest since Pete also does the septic inspections for the Town of Yacolt as the Public Works Director. The Mayor assured the resident’s that this is not a conflict of interest. When Pete was hired he was not to acquire any new clients with in the Town Limits, unless it was systems the Town doesn’t inspect. Pete said he has about 400 clients. Out of those 10 are within Town limits. Five are systems he has been inspecting for years and five are aerobic systems which the Town does not inspect. Kelly Roberts stated they have been running this business for 13 years and when Pete was hired for the Town they knew of his existing business. Councilor Holyk said many residents are calling her and perceive this as a conflict of interest. Kelly Roberts said she is glad they are calling her because she knows the truth and can set them straight. Councilor Holyk said she tells them to come to the meetings.

MOTION: Councilor Hancock made a motion to approve the request.

SECOND: Councilor Weldon

VOTE: 3-1

YES: Councilor(s): Marbut, Hancock, And Weldon

NO: Holyk

ABSENT: Madler

\*Motion Passed.

**F. YCC Update:**

Jenell Wedding said there were four entries for the Christmas House Decorating Contest. The winners will be announced on the 22nd. The next event with be the Easter Egg Hunt. The Christmas Tree Lighting raised $200.00. The YCC now has a Facebook page. Jenell told the residents the YCC is always looking for more volunteers. Resident Pat Spence said he had noticed a lot of good things happening around town and would like to see Yacolt in the Reflector more often for positive events. Jenell told him we need help with things like that. One member of the YCC that did the Bigfoot Fun Run was very good at advertising, but she has had to step down for personal reasons. Of the 6 people that are on the YCC at the moment only 3 live within the Town.

\*Information Only. \*There are 5 people currently on the citizen’s committee, not six. Correction made by Councilor Holyk at January 4th meeting.

**G. Elect Mayor Pro-Tem:**

The Mayor told the council and the resident’s that every 6 months the elect or re-elect the Mayor Pro-Tem.

MOTION: Councilor Marbut made a motion to elect Dave Hancock as the new mayor pro-tem.

SECOND: Councilor Holyk

VOTE: 4-0

YES: Councilor(s): Marbut, Holyk, Weldon, And Hancock

NO: -0-

ABSENT: Madler

\*Dave accepted and motion passed.

**MAYORS COMMENTS:**

None at this time.

**PUBLIC WORKS REPORT:**

None at this time.

**CLERK/TREASURER REPORT:**

Mayor Joe Warren thanked Crystal for all work while Clerk/Treasurer position has been vacant.

**PAY BILLS ON BEHALF OF THE TOWN:**

General Operating Acct: $938,480.27

Current Expenses: $19,173.35

Streets: $2,108.44

Cemetery: $4.20

Septic Inspection Fees: $0

Storm Water: $8.67

Bills presented in the amount of: $21,294.66 Ch #13172-13194

MOTION: Councilor Marbut made a motion to approve the bills.

SECOND: Councilor Holyk

VOTE: 4-0

YES: Councilor(s): Madler, Weldon, Holyk, Hancock, And Marbut

NO: -0-

ABESENT: Madler

\*Motion Passed.

**ADJOURNED: 8:48 P.M.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Cindy Marbut Joe Warren

Clerk/Treasurer Mayor

Minutes approved on January 3, 2011