

**TOWN OF YACOLT, WASHINGTON**  
**TOWN COUNCIL MEETING MINUTES**

**DATE:** May 16, 2016

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL ATTENDANCE**

**PRESENT:** Mayor Carothers

Councilmember(s): Nancy Tester, Dave Hancock, Jason Wallway, Vince Myers

**ABSENT:** Councilmember(s):

**STAFF:** Town Clerk: Cindy Marbut

Public Works Director: Pete Roberts

Town Attorney: David Ridenour

**APPROVE MINUTES OF PREVIOUS MEETING \* as corrected**

**MOTION:** Councilmember: Tester

**SECOND:** Councilmember: Hancock

**VOTE:** 4- 0

**YES:** Councilmember(s): Hancock, Tester and Wallway, Myers

**NO:**

**ABSENT:**

\*Motion unanimously passed.

**LATE CHANGES TO THE AGENDA**

Mayor added Executive Session as Item B. under Old Business, the rest of agenda items will move down 1.

**CITIZEN COMMUNICATION**

None

**OLD BUSINESS**

**A. J & N Cable - Update – Ordinance # 541**

David Ridenour, town attorney, discussed the process that took place in mailing a demand letter and the events that had taken place up to this meeting. There was no response from J & N Cable regarding the demand letter. Their insurance company did contact David and their insurance seems in order. No other communication had been received from J & N Cable on the matter of Franchise agreement violations. Council discussed options, Mayor asked Council if they wanted to discuss in an executive session, Council declined and spoke openly to the public. Councilmembers Myers and Wallway expressed their desire to have the franchise revoked for noncompliance. There was discussion on the recouping of attorney fees in the event of litigation and the possible consequences to the citizens who currently have the cable service. There was further discussion on what requirements would be in place for the possibility of renegotiation of the agreement in the future. A motion was made to approve Ordinance # 541 revoking J & N cable franchise agreement.

**MOTION:** Wallway

**SECOND:** Myers

**VOTE:** 4-0

**YES:** Councilmember(s): Wallway, Tester, Myers and Hancock

NO:

ABSENT:

Motion unanimously passed.

**B. Executive Session**

No Session took place

**C. Municipal Code Update – Ordinance # 540**

David Ridenour, town attorney, discussed the meetings that had taken place with town staff to review the ordinances that pertain to the creation of the proposed Municipal Code. There are a number of ordinances that are obsolete and need to be repealed as they do not apply to the town any longer. As the staff and town attorney continue the review process, there will be further corrections and repeals that will be brought back to the council over the next few meetings that will require actions.

MOTION: Councilmember: Tester

SECOND: Councilmember: Hancock

VOTE: 4- 0

YES: Councilmember(s): Hancock, Tester and Wallway, Myers

NO:

ABSENT:

\*Motion unanimously passed

**D. Council Position 1 Interviews**

Interviews took place in an open public meeting for the 3 candidates that applied.

**NEW BUSINESS:**

**A. Executive Session**

Mayor read a statement citing the RCW and reason for the session; meeting adjourned to executive session for 10 minutes.

**B. Council Appointment – Swearing of Office**

Council Meeting was re-opened from the executive session. Mayor explained the process of how the next council member would be appointed. Each councilmember would state who they vote for and in the event of a tie the Mayor would be the tie breaker. Votes were cast in open public meeting. Katelyn Listek was appointed to council position 1 and sworn into office.

\*Appointment Councilmember

**C. C-Tran Update – Nancy Tester**

Councilmember, Nancy Tester, attended the C-Tran meeting and gave an update. A letter is needed from Yacolt to advise C-Tran of its needs for services to include in their update of their 20 year comprehensive plan. Letters from the other municipalities were provided as an example. C-Tran will be purchasing cost effective buses at the rate of \$ 750,000 each. Ridgefield was deemed the fastest growing community in Clark County. There was citizen communication at the meeting addressing the issue of WA. University drop off location and the distance riders had to walk. Nancy would like to see more service in Yacolt especially for the seniors and disabled who have little to no transportation. The hours Yacolt has for service is not conducive. Nancy advised she is still learning about the process and was meeting with 2 other municipal representatives to discuss issues.

\*Information Only.

**D. Camera's Town Hall**

Cindy Marbut, Clerk Treasurer, discussed the increased amount of crime happening in town with thefts and assaults. She told the council of an incident that took place at the town hall parking lot, and under advisement of the Sheriff's office to consider security for town hall. Information on security cameras was

provided. There was discussion on the type of security system and its functionality. The discussion led to the clerk being instructed to have the Commander of Clark County Sheriff's Office attend an upcoming

meeting for the public discussion. Council instructed the Clerk to get more information and bring back to the next meeting.

\*Discussion Only

**E. Cyril Young Nuisance Complaints 205 W Jones St.**

Cindy Marbut, Clerk Treasurer, discussed complaints on this and other property in the town. She provided the council with history of complaints and actions against Cyril Young. She discussed the other properties in town that fall under the same issues. She told council that she has sent numerous letters to this property and other properties as well. She asked council for direction on how to proceed. Mayor Carothers agreed there needs to be repercussions. David Ridenour, town attorney, advised council that proceeding with the steps for abatement according the Nuisance ordinance did include recovery of attorney fees and other costs. Council instructed staff to move forward with the process as described in Ordinance 390.

\*Discussion Only

A citizen was present that wanted to address the council, Mayor Carothers asked if she would like to address the council at this time, Kit Raines, citizen of Yacolt inquired about allowing leaves to be part of the Spring Clean-up day. There was discussion on the leaves and options available.

\*Discussion Only

**Mayor Carothers, Comments:**

Mayor thanked all those who attend and participate in town hall meetings. He encouraged the public to not listen to gossip but rather get the facts from him, the council or town staff.

**Attorney, David Ridenour Comments:**

David advised that in preparation of the municipal code that there would be careful consideration of ordinances to ensure that nothing was being repealed that was a benefit to the town.

**Public Works, Pete Roberts Comments:**

Jess trimmed the trees on Johnson and Yacolt Rd, took widow makers out and thinned them, he would be working on the Recreation Park next. He addressed those present and stated that while there are a lot of great ideas, there needs to be people to implement them. Mayor Carothers agreed and stated his staff is already doing all they can.

**Clerk Treasurer, Cindy Marbut Comments:**

The spring clean-up final numbers were in and the total cost to the town was 639.00, metal recycling was far less than in previous years. Medals for Bigfoot Fun Run have been ordered. Flyers have been placed around town. Advertising was placed for the event also. The first T-Shirt order will be placed on Friday. The cost was increased by 5.00 to account for the better quality shirts. Annual Reports have been completed and filed, request for councilmember Tester was made to review the reports for being fairly stated. Rick Urias was selected as Grand Marshall. Arrowhead Coffee would be opening on May 23<sup>rd</sup> but a soft opening may take place sooner.

**WARRANTS**

*Current Expenses:	\$12,672.10
*City Streets:	\$1,437.24
*Cemetery	\$8.56
*Storm Water	\$99.87

Pay Bills presented in the amount of \$14,217.77

MOTION: Hancock

SECOND: Myers

VOTE: 4-0

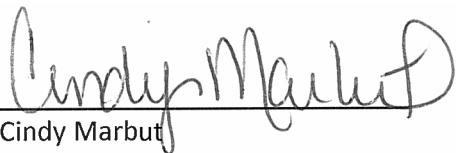
YES: Councilmember(s): Wallway, Tester, Myers and Hancock

NO:

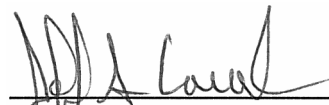
ABSENT:

Motion unanimously passed.

**ADJOURN: 9:10 pm**



Cindy Marbut  
Town Clerk



Jeff Carothers  
Mayor

Minutes approved on June 6, 2016