

City of Kenmore, Washington
City Council Regular Meeting
Minutes
February 22, 2016

CALL TO ORDER – The Kenmore City Council meeting was called to order by Mayor David Baker at 7:01 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Allan Van Ness and Councilmembers Brent Smith, Laurie Sperry, Milton Curtis, Nigel Herbig and Stacey Denuski

Staff present: Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance & Administration Director; Kris Overleese, Public Works Director/City Engineer; Debbie Bent, Community Development Director; Bryan Hampson, Development Services Director; Leslie Harris, Management Analyst; Lauri Anderson, Senior Planner; Dawn Reitan, City Attorney; and Patty Safrin, City Clerk

FLAG SALUTE

Mayor Baker led the flag salute.

AGENDA APPROVAL

It was Council consensus to approve the agenda as submitted.

PRESENTATION

Recognition of Inglemoor High School Students Nathan Morgan and Corrina Lee - Selected as Presidential Scholar Candidates – Mayor Baker provided information about the students and their selection as Presidential Scholar Candidates. The students had photos taken with the Councilmembers.

CITIZEN COMMENTS

Todd Prince, 6706 NE 185th Street, Kenmore, was present to state his concerns regarding street parking enforcement in the City.

Elizabeth Mooney, 5934 NE 201st Street, Kenmore, was present to state her concerns regarding changes to the City's critical areas ordinances.

Anne Anderson, 16304 81st Place NE, Kenmore, was present to state her concerns about the PAUE and critical areas, including the process of making these decisions.

Mayor Baker thanked the citizens for their comments.

CONSENT AGENDA

Councilmember Denuski moved to approve the consent agenda as submitted. Mayor Baker seconded the motion to Adopt the Minutes of the February 8, 2016 City Council Meeting;

Approve the Following Checks and Electronic Payments for Payment: Total Check Numbers 33844 through 33898 in the Amount of \$1,038,012.38, and Total Payroll Electronic Deposits Dated 2/5/2016 in the Amount of \$77,861.36. The motion passed unanimously.

BUSINESS AGENDA & PUBLIC HEARINGS

Kenmore Business Incubator (KBI) Update - Nancy Ousley, Assistant City Manager, introduced Corey Hansen, Business Incubator Consultant, and some members of the Kenmore Business Incubator, both in-house and virtual incubator clients. She gave a PowerPoint presentation, and stated that there are currently six companies in-house at the incubator, four of them headed by Kenmore residents. She stated that all of the five virtual companies are Kenmore businesses. Four companies have graduated and moved on from the incubator over the last couple of years. She detailed some metrics regarding participation in the KBI and the percent of base rent offset by fees, as well as budget figures.

Hansen reviewed the growth of the KBI. He stated that the focus has been on growing Kenmore businesses rather than recruiting from outside the City. Representatives from one of the in-house companies and one of the virtual companies were present speak about their experience with the KBI. They were also available to answer any questions.

PUBLIC HEARING to Receive Public Testimony Regarding Ordinance No. 16-0417, Consumption, Sale, Possession and Service of Alcoholic Beverages in City Parks and the Parks Zone - Bryan Hampson, Development Services Director, reviewed the proposed changes to the Kenmore Municipal Code and noted which parks would be excluded from having alcohol. Hampson stated that State and County parks are included in the ordinance by zoning (Parks Zone).

Mayor Baker opened the public hearing to receive public testimony on this issue at 7:49 p.m.

As there were no citizens wishing to testify, Mayor Baker closed the public hearing at 7:50 p.m.

Attorney Reitan clarified the definition of a City park. She noted that the Town Green or a commercial operation, such in St. Edward State Park, could serve alcohol by a zoning change for an established use rather than a special event permit.

Councilmember Sperry moved to Adopt Ordinance No. 16-0417, Consumption, Sale, Possession and Service of Alcoholic Beverages in City Parks and the Parks Zone.

Councilmember Smith seconded the motion. The motion passed 6-1, with Deputy Mayor Van Ness voting no.

PUBLIC HEARING to Receive Public Testimony Regarding Proposed Changes to the Public Agency Utility Exception (PAUE) to the City's Critical Area Regulations in KMC 18.55 - Debbie Bent, Community Development Director, and Lauri Anderson, Senior Planner

Bent stated that they are not looking for Council action tonight. The soonest they could bring it back for approval would be March 14th. Lauri Anderson reviewed the proposed changes and the purpose of the exception, and stated that most surrounding jurisdictions have a similar exception. She detailed why the language is being revised now, and noted that it does not apply in areas covered by the Shoreline Master Program. She stated that the comment period ended today and that the City received six comments. They were available to answer any questions.

Mayor Baker opened the public hearing to receive public testimony on this issue at 8:19 p.m.

The following citizens spoke:

Anne Anderson, 16304 81st Street NE, Kenmore, was present to state her concerns about the PAUE amendments and possible harm to the environment.

Elizabeth Mooney, 5934 NE 201st Street, Kenmore, was present to state her concerns about the PAUE amendments.

As there was no further testimony, Mayor Baker closed the public hearing at 8:30 p.m.

It was Council direction to change some of the current language, add things that were discussed at this meeting, and bring it back to Council at another time before making a decision as to whether to move forward or not.

Imagine Kenmore Potential Project List Discussion and Direction - Kris Overleese, Public Works Director/City Engineer; Debbie Bent, Community Development Director; Rob Karlinsey, City Manager; Joanne Gregory, Finance & Administration Director; and Leslie Harris, Management Analyst, were present to give a brief report regarding possible packages for a ballot measure.

Director Bent detailed the projects in the \$16M Parks and Recreation package, including Log Boom Park water access, Tolt Trail Phase II, Rhododendron Park Boardwalk, Squires Landing Park, and St. Edward State Park athletic fields. Director Overleese detailed the \$18.7M Sidewalks, Bicycle and Trail package, including 61st Avenue sidewalk replacement (NE 190th to NE 200th); 68th Avenue sidewalk construction (NE 182nd St. to 71st Ave NE/Locust Way); Juanita Drive Grant Match for sidewalk design and construction (N 170th Street south to the City limits). Director Gregory detailed the \$18.9M Walkways and Waterways combination package, including 68th Avenue sidewalk construction, Juanita Drive Grant Match, Log Boom Park water access, Rhododendron Park Boardwalk, and Squires Landing Park. Management Analyst Harris reviewed the next steps and timeline. They were available to answer any questions.

Staff requested direction as to whether any changes should be made to any of the three options before bringing them back to Council for consideration on March 14th.

It was Council consensus to leave options one and three the same, but to remove the Tolt Trail from Option two, the transportation package, add in sidewalk gaps, and lower the total amount for that option by \$1M.

Adoption of Ordinance 16-0416, Establishing Administrative Provisions for the Business & Occupation (B&O) Tax - Joanne Gregory, Finance & Administration Director, stated that this is the second part of the B&O tax implementation process. She stated that the Ordinance complies with the model ordinance as established by the State. She reviewed what the ordinance includes. She was available to answer any questions.

Councilmember Herbig moved to Adopt Ordinance 16-0416, Establishing Administrative Provisions for the Business & Occupation Tax. Councilmember Smith seconded the motion. The motion passed 7-0.

STAFF REPORT

City Manager Karlinsey gave a reminder about the joint February 29th meeting with Northshore School Board and an invitation to the State of the City Address on March 16, during lunchtime at the Inglewood Country Club.

CITY COUNCILMEMBER REPORTS & COMMENTS

Councilmember Smith stated that the Northshore Senior Center will be running its own operation starting March 1, after a couple of issues get resolved. He stated that a possible maintenance and operations voter-approved initiative for the Senior Center has been mentioned; however, he does not have any further information at this time.

Mayor Baker reported on various legislative meetings he attended.

EXECUTIVE SESSION

Mayor Baker recessed the regular meeting to an executive session at 9:50 p.m. to discuss Potential Litigation, pursuant to RCW 42.30.110(1)(i). He stated that the executive session will last for approximately 20 minutes and that action is anticipated when the meeting is reconvened.

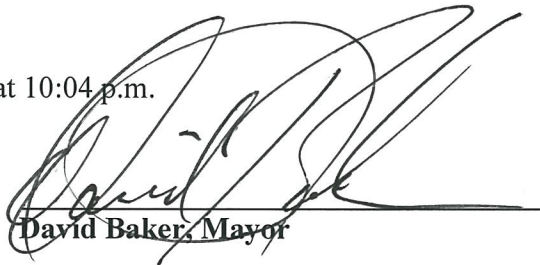
Mayor Baker reconvened the regular meeting at 10:02 p.m.

POSSIBLE ACTION RESULTING FROM EXECUTIVE SESSION

Mayor Baker moved to authorize the City Manager to settle a lien for gambling tax delinquency and execute a settlement agreement with Reivan, LLC, Ray Van Landeghen, and Brenda and Leon Reichle to pay the City the amount of \$34,642.88. The agreement must be approved as to form by the City Attorney and include a condition that the City will be in the primary position, and Reivan, LLC, Ray Van Landeghen, and the Reichles will be in second position, when it comes to collecting delinquent taxes, penalties and interest from Dale Decker and the DD Bar & Grill property (the original debtors). The City Manager is authorized to perform all actions necessary to implement this motion. Councilmember Smith seconded the motion. The motion passed 7-0.

ADJOURNMENT

Mayor Baker adjourned the regular meeting at 10:04 p.m.



David Baker, Mayor

ATTEST:



Patty Safrin, City Clerk