

**City of Kenmore, Washington**  
**City Council Regular Meeting Minutes**  
**June 19, 2017**

**CALL MEETING TO ORDER** — The Kenmore City Council meeting was called to order by Mayor Baker at 7:00 p.m.

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

**Councilmembers excused:** Mayor David Baker.

**Staff present:** Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance and Administration Director; Rod Kaseguma City Attorney; Brett Schock, Traffic Engineer; Leslie Harris, Community Relations Manager; Melodi Yanik, Communications Assistant and Kelly Chelin, City Clerk.

**FLAG SALUTE**

The Council led the flag salute.

**AGENDA APPROVAL**

The agenda was approved as submitted.

**PRESENTATION**

Update from Sno-King Watershed Council - Eric Adman

Mr. Adman presented a PowerPoint to the Council.

Walk Friendly Communities Award - Leslie Harris, Community Relations Manager

Manager Harris presented the Walk Friendly Communities Award to Traffic Engineer Brett Schock and Communications Assistant Melodi Yanik for all their efforts.

**CITIZEN COMMENTS**

Vicki Grayland, 20308 73<sup>rd</sup> Avenue NE, Kenmore.

Ms. Grayland spoke about the St. Edward ballfields. She asked Council for real updates on the progress.

John Hendrickson, 5919 NE 202<sup>nd</sup> Lane, Kenmore.

Mr. Hendrickson spoke to the corporate culture of the Council.

**CONSENT AGENDA**

The consent agenda was approved, as written, as follows:

City Council Meeting Minutes of May 22, 2017

Authorize the City Manager to Execute Contract 14-C1261 (Amendment #3) an Interlocal Agreement Between the City of Kenmore and Puget Sound Clean Air Agency for Cooperative Odor Complaint Investigations

Ordinance 17-0439 Repealing Kenmore Municipal Code Chapter 2.35 and Dissolving the Library Advisory Board

**BUSINESS AGENDA**

Consideration of Kenmore Municipal Code (KMC) Changes Addressing Vegetation and Sidewalk Maintenance - Brett Schock, PE

Engineer Schock explained that on March 13, 2017, City staff spoke with City Council about two policies, vegetation and sidewalk maintenance within the right of way. For both policies, staff reviewed the current code and practices of the City. The Kenmore Municipal Code (KMC) places responsibility for vegetation management and sidewalk maintenance on the adjacent property owner.

City staff compared the Kenmore policies to those of the neighboring cities of Shoreline, Kirkland and Bothell. In each of these cities, vegetation maintenance is the responsibility of adjacent property owners and expectations of each city for maintenance are defined. Sidewalk maintenance responsibility differs between these cities. Kirkland and Shoreline allow for assessing the costs of repair to the adjacent property owner if the cause of sidewalk damage is on private property. Bothell's code matches Kenmore's.

In March, City staff asked the City Council for feedback on recommended changes to the KMC and City operations. In general, City Council desires to continue existing City practices regarding vegetation maintenance and take on a more proactive program of sidewalk maintenance. The proposed code changes in Attachment A in the packet address the feedback received from the City Council at the March 13, 2017 meeting. The KMC addresses these topics in the following sections:

Vegetation maintenance

- **8.35.010** Public Nuisances – Unlawful public nuisances declared
- **12.70.010** Sidewalks, Planting Strips and Street Trees – Definitions
- **12.70.040** Sidewalks, Planting Strips and Street Trees – Planting strip maintenance
- **18.30.240** Development Standards – General – Sight distance requirements

Sidewalk maintenance

- **12.70.020** Sidewalks, Planting Strips and Street Trees – Sidewalk – Repair determination – Responsibility and costs
- **12.70.030** Sidewalks, Planting Strips and Street Trees – Sidewalk – Notice to repair – Cost assessment

Vegetation Maintenance

The City Council's feedback on vegetation maintenance at the March 13, 2017 meeting was to:

1. Maintain the current reactive program of vegetation maintenance.
2. Provide more direction and guidance for the expectations of property owner vegetation maintenance.

The City Council feedback is incorporated into the KMC with the following changes:

1. Section 8.35.010 is changed to define vegetation as a public safety hazard when the City Manager, or designee, identifies a safety concern. A reference is also added to the maintenance requirements of Section 12.70.040.
2. The definition of “planting strip” in Section 12.70.010 is expanded with a third category, defining the planting strip as the portion of right of way between the edge of pavement and the private property right of way line if no other pavements are existing. Language is also added to this section allowing for planting strips to be left in a natural state, if other maintenance requirements are met.
3. Section 12.70.040 clarifies the City’s expected maintenance requirements. Property owners must allow the use of the right of way by the public. The minimum width of pedestrian way (4 feet) outside of the vehicle travel lane is defined. The minimum vertical vegetation clearance over pedestrian paths (8 feet) and vehicle paths (11 feet) is defined.
4. The assessment of the cost of vegetation maintenance performed by the City because of a lack of property owner response is left to the discretion of the City Manager.
5. Section 18.30.240 is revised to include a reference to the planter strip definitions in Chapter 12.70.
6. There is also language that allows the City to maintain right of way vegetation, at the City Manager’s discretion.

#### Sidewalk Maintenance

The City Council’s feedback on sidewalk maintenance at the March 13, 2017 meeting was to:

1. Change to a proactive program of sidewalk maintenance.
2. Change the KMC responsibility for sidewalk repair to the City when the cause of damage is in the public right of way or cannot be identified as being on private property.
3. Leave the KMC responsibility for sidewalk repair by property owners in place when the cause of damage is found to be on private property or as a result of private property owner activity.

The City Council feedback is incorporated into the KMC with the following changes:

1. Section 12.70.020 is changed allowing the City Manager, or designee, to conduct an assessment to determine the cause of damage to a sidewalk.
  - a. The changes allow the City to make the sidewalk repairs at no expense to the property owner if the cause of sidewalk damage is determined to be in the public right of way.
  - b. The City retains the ability to assess the costs of the repair to the property owner if the cause of sidewalk damage is determined to be on private property and the property owner refuses the opportunity to complete the repairs on their own. Repair of sidewalks by the property owner would require a right of way permit and need to meet City standards for sidewalk construction.
2. Section 12.70.030 is changed to take the assessment by the City Manager, or designee, into account where determining the assignment of costs to the private property owner. The Section is also amended to add an appeals process through the Public Works Director and City Manager of any assigned costs to repair sidewalks.

The City’s proactive program would include the following elements:

- Review and complete the survey of the existing condition of all sidewalks (started in 2015).
- Development of a prioritized program of repairs, within budget limits, based on the survey.

- Construction of repairs every other year (once a biennium).

Council and staff engaged in a discussion. It was the consensus of the Council to go with staff's recommendations. The staff will bring the proposed ordinance back to Council for a public hearing and adoption at a later date.

Walkways and Waterways Update - Kris Overleese, Public Works Director; Debbie Bent, Community Development Director and Joanne Gregory, Finance and Administration Director

Staff explained that Kenmore's Proposition 1 Walkways & Waterways passed in November 2016 with 64.09% voter approval, authorizing the City to issue up to \$19.75 million in bonds to pay for five projects that will significantly improve pedestrian and bicycle safety and waterfront improvements. The following provides a status update for each of the five projects:

**Rhododendron Park Waterfront and Natural Open Space Access:**

Estimated Cost: \$800,000

Completion Date: Original estimate 2019. New estimate is 2018, assuming bid award July 2017.

**Project Description:** This project improves public access to the Sammamish River by constructing a new trail "waterwalk" from the existing playfield through the natural open space to the riverfront. The project will also improve the access drive and parking near the river as well as natural enhancements to the shoreline and wetlands. The replacement float/dock at Squires Landing and the new Rhododendron float/dock are park capital improvement projects, but not funded by bond measure funds. Both projects have been added as separate bid items in the bid package with the Rhododendron Park Waterfront project. Both float projects have received required agency permits including: City shoreline permit, engineering and building permits; US Army Corps permit; and WDFW Hydraulic Project Approval.

**Progress/Schedule:**

7/16 Design began.

11/16 Council approved the revised trail alignment.

3/17 one year extension granted (to 4/28/18) to the Shoreline Permit for starting construction.

5/17 bid advertisement.

7/17 Council authorize contract award (pending responsive, responsible and affordable bid).

**Log Boom Park Waterfront Access and Viewing**

Estimated Cost: \$3,200,000

Completion Date: Anticipated 2023

**Project Description:** Improve public access to Lake Washington including beach expansion, new trails and viewpoints, picnic areas, water front pavilion, environmental enhancements, and access for hand-powered watercraft.

**Progress/Schedule:**

2/17 Design began utilizing consultant Mott MacDonald.

3/17 Field work completed including survey, wetland delineation, and geotechnical soil exploration.

5/17 Staff review of field work findings.

6/17 Staff will coordinate to identify project and code/permit requirements.

8/17 (estimate) meet with regulatory agencies (e.g. Corps of Engineers, Department of Ecology, Muckleshoot Tribe).

9/17 (estimate) public outreach to provide a status update.

Early 2018 - 30% plans and documentation submittal received from consultant.

### **Squires Landing Waterfront and Natural Open Space Access**

Estimated Cost: \$5,150,000

Completion Date: Anticipated 2023

**Project Description:** 11-acres of new park development to enhance public access to the Sammamish River. Natural open space restoration, trails, boardwalks, and viewing points will connect the park to the river and adjacent Burke-Gilman Trail along NE 175th Street. The project will also add new docks, parking and a restroom.

#### **Progress/Schedule:**

2/17 Design began utilizing consultant Mott MacDonald.

5/17 Field work completed including survey, wetland delineation, and geotechnical soil exploration.

5/17 Staff review of field work findings.

6/17 Staff will coordinate to identify project and code/permit requirements.

8/17 (estimate) meet with regulatory agencies (e.g. Corps of Engineers, Department of Ecology, Muckleshoot Tribe).

9/17 (estimate) public outreach to provide a status update.

Early 2018 - 30% plans and documentation received from consultant.

### **Juanita Drive Sidewalk & Bicycle Lanes Project (NE 170th Street to south City limits)**

Estimated Cost: \$12,700,000

Estimated Completion Date: 2020 - 2023

**Project Description:** Construction of sidewalk and amenity zone on the east side of Juanita Drive, buffered bicycle lanes in each direction and associated walls, stormwater, street lighting, traffic signal improvements, and widening/turn pockets at select locations. The project will be partially funded by the Walkways and Waterways Bond Measure and will require grant funding.

#### **Progress/Schedule to date:**

3/17 Design began utilizing consultant HDR.

5/17 Initial field work completed: survey and geotechnical soil exploration.

5/17 Staff review of initial line work/layout.

7/17 Estimated 30% design submittal and cost estimate.

8/17 Transportation Improvement Board (TIB) grant submittal. Limits to be determined.

Fall 2017 - City Council / public open house providing a status update.

### **68th Avenue NE Sidewalk & Bicycle Lanes Project (NE 182nd Street to north City limits)**

Estimated Cost: \$5,100,000

Estimated Completion Date: 2020 – 2023

**Project Description:** Construction of sidewalk and amenity zone on the west side of 68th Avenue, buffered bicycle lanes in each direction, and associated walls, stormwater and street lighting improvements.

Progress/Schedule to date:

3/17 Design began utilizing consultant KPFF.

5/17 Initial field work completed: survey and wetland delineation.

5/17 Staff review of field work findings.

Fall 2017 - 30% design submittal and cost estimate.

Fall 2017 City Council / public open house providing a status update.

On December 21, 2016, the City issued General Obligation Bonds and received \$9.8M. Costs of issuance paid at closing were \$106,583. It is anticipated that the City will again issue bonds in an amount up to \$10M in late 2019.

Property tax revenues as of the end of May were \$662,072 and the City made its first debt service interest payment on June 1 in the amount of \$137,177. The next payment will be due December 1, 2017 in the amount of \$999,325 which includes both interest and principal.

Now that the 2016 financial report has been completed and submitted to the Washington State Auditors, it will be uploaded to the Municipal Securities Rulemaking Board as part of the City's ongoing disclosure requirements.

Council and staff discussed the status of each of the projects.

#### Hangar Building Facility Use Policies - Rob Karlinsey, City Manager

City Manager Karlinsey explained that the new Town Square and accompanying "Hangar" community building are constructed. Both the Town Square and the Hangar will serve as a year-round public gathering space in the heart of Kenmore's downtown. The 4,600 square-foot Hangar will include space for a coffee shop tenant. The tenant's interior improvements are in the process of being constructed and should be completed in the next six to eight weeks.

In addition to the tenant retail space, the Hangar includes a larger community gathering space (the "Otter") and a small multi-purpose room ("the Beaver"). These spaces will be available for the public to use and reserve when the interior tenant improvements are complete.

Facility use policies for the Hangar are needed in order to create a framework for the public to reserve the spaces in the building or just "hang out".

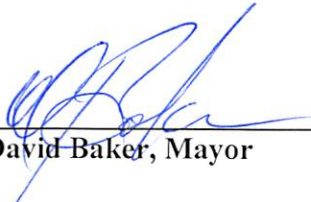
City Manager Karlinsey reviewed draft policies with the Council. The Council gave feedback and this item will come back to the Council for adoption at a future meeting.

#### **STAFF REPORT**

City Manager Karlinsey stated that the State has still not passed their budget. The deadline is June 30. He explained the impacts to the City if the state budget doesn't pass.

#### **ADJOURNMENT**

Deputy Mayor Van Ness adjourned the meeting at 9:37 p.m.

  
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David Baker, Mayor

ATTEST:

  
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Kelly M. Chelin, City Clerk