

City of Kenmore, Washington
City Council Special & Regular Meeting
Minutes
September 12, 2016

CALL SPECIAL MEETING TO ORDER – The Kenmore City Council special meeting was called to order by Mayor David Baker at 6:00 p.m.

EXECUTIVE SESSION

Mayor Baker recessed the regular meeting to an executive session at 6:00 p.m. to discuss Potential Litigation, pursuant to RCW 42.30.110(1)(i). He stated that the executive session will last for approximately 60 minutes and that action may be taken when the meeting is reconvened. Mayor Baker extended the executive session for 15 minutes at 7:02 p.m.

CALL REGULAR MEETING TO ORDER – The Kenmore City Council meeting was called to order by Mayor David Baker at 7:17 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; Lauri Anderson, Senior Planner; Janet Quinn, Project Coordinator; Cliff Sether, Police Chief; Dawn Reitan, City Attorney; and Nancy Meehan, Executive Assistant

FLAG SALUTE

Mayor Baker led the flag salute.

AGENDA APPROVAL

Councilmember Smith moved to amend the agenda by adding a Business Item for discussion of Potential Action Relating to Enforcement of the Frontier Franchise Agreement, as the first item on the Business Agenda. The motion passed unanimously.

PROCLAMATION

Mayor's Day of Concern for the Hungry, September 17, 2016 – Mayor Baker read the proclamation into the record.

CITIZEN COMMENTS

Sharon Hawkins, 7301 NE 175th Street, #308, Kenmore, was present to represent Inglewood East Shores Mobile Home Park, asking for help because the owners have raised the rent significantly every year, while most of the residents are elderly people on fixed incomes. She also submitted a letter to the Council.

Liz Cairasquero, 19807 N. Creek Parkway N, Bothell, was present representing T-Mobile Wireless, to ask Council to consider the letter that was submitted by Davis Wright Tremaine, LLP, regarding the wireless communication facilities ordinance.

Carol Tagayun, 19807 NE 160th Place, Woodinville, was present on behalf of AT&T, regarding the wireless communication facilities ordinance.

Ken Lyons, 113 Cherry Street, Seattle, was present was present on behalf of AT&T, regarding the wireless communication facilities ordinance.

Kim Allen, 113 Cherry Street, Seattle, was present on behalf of AT&T, regarding the wireless communication facilities ordinance.

Kate Donaldson, 6401 NE 181st Street, Kenmore, was present to state her concerns regarding heavy manufacturing activities in the City.

Chuck Madwell, 6041 118th Avenue SE, Bellevue, was present on behalf of Verizon Wireless, regarding the wireless communication facilities ordinance.

Corina Pfeil, 18904 68th Avenue NE, Kenmore, was present to address several issues.

Dennis Mendrey, 6410 NE 182nd Street, Kenmore, was present to speak about several issues. He submitted "Let's Beautify This" invitation cards for distribution.

Robert Burens, 6423 NE 175th Street, Kenmore, was present on behalf of CalPortland, to speak about noise complaints and their efforts to ensure their compliance with recently passed legislation which affects their operation.

Noel Barnett, 420 SW 11th Avenue, Canby, Oregon, Environmental Manager for Cemex, was present to speak about heavy manufacturing operations and activities regulations and their compliance.

Linda Atkins, of Davis Wright Tremaine, LLP, submitted a letter and other documents, via e-mail prior to the meeting, regarding proposed Ordinance No. 16-0426 and some recommended amendments.

Mayor Baker thanked the citizens for their comments.

CONSENT AGENDA

Councilmember Curtis moved to approve the consent agenda as submitted.

Councilmember Sperry seconded the motion to Adopt the Minutes of the July 25 and August 15, 2016 City Council Meetings; Receive and File the June City Council Budget Retreat Summary Report; Approve the Following Checks and Electronic Payments for Payment: Total Check Numbers 34976 through 35068 in the Amount of \$1,078,780.37, and Total Payroll Check Number 8957 in the Amount of \$1,065.97, and Total Payroll Electronic Deposits Dated 08/05/2016 in the Amount of \$78,326.85; Approve the Following

Checks and Electronic Payments for Payment: Total Check Numbers 35069 through 35164 in the Amount of \$606,483.88, and Total Payroll Check Numbers 9006 through 9007 in the Amount of \$1,015.54, and Total Payroll Electronic Deposits Dated 08/19/2016 in the Amount of \$80,618.95; Receive and File the July 2016 Financial Report for the City of Kenmore, Washington; Receive and File the 2016 Transportation Grans Summary; Authorize Contract No. 16-C1601, Department of Ecology (DOE) Water Quality Grant Funding Interlocal Agreement; Adopt Resolution No. 16-287 Granting Final Approval for Walters Plat; Authorize Contract No. 16-C1609, Settlement Agreement Between the City and Wesley Boyd; Authorize Contract No.16-C1605, Interlocal Agreement with the Port of Seattle for Economic Development Partnership Program Grant Funded Projects; Authorize Contract No. 16-C1604, Interlocal Agreement with Seattle Public Utilities for Tolt Pipeline Trail; Authorize Contract No. 16-C1603, Interlocal Agreement with Northshore School District for School Resource Officer; Approve Amendment No. 2 to Contract No. 15-C1456 with Coast & Harbor Engineering, a Division of Hatch Mott MacDonald, for Squires Landing Park Conceptual Plans; Approve Amendment No. 2 to Contract No. 15-C1457 with Coast & Harbor Engineering, a Division of Hatch Mott MacDonald, for Log Boom Park Conceptual Plans; Approve Amendment No. 1 to Contract No. 15-C1484 with KPFF Consulting Engineers for On-Call Services for Traffic Engineering, Transportation and Parks; Authorize Contract No. 16-C1583 with Jaymarc AV for Town Green Audio/Visual Equipment Purchase and Installation. The motion passed unanimously.

BUSINESS AGENDA

Potential Action Relating to Enforcement of the Frontier Franchise Agreement

Councilmember Smith moved to authorize and direct the City Manager and City Attorney's office to enforce the Frontier franchise agreement with actions that include, but are not limited to, seeking liquidated damages and/or filing a lawsuit in King County Superior Court seeking all potential legal and equitable remedies afforded to the City under the franchise. Mayor Baker seconded the motion. The motion passed 7 - 0.

Heavy Manufacturing Operations and Activities – Bryan Hampson, Development Services Director, was present to give a brief report. He was also available to answer any questions.

June 2016 Financial Report for the City of Kenmore, Washington – Joanne Gregory, Finance & Administration Director, was present to give a brief report. She was also available to answer any questions.

Councilmember Curtis moved to Receive and File the June 2016 Financial Report for the City of Kenmore, Washington. Councilmember Denuski seconded the motion. The motion passed 7 - 0.

Comcast Master Service Agreement, City of Kenmore Contract No. 16-C1598 – Joanne Gregory, Finance & Administration Director, was present to give a brief report. She was also available to answer any questions.

Councilmember Sperry moved to authorize the City Manager to execute Contract No. 16-C1598, Comcast Master Service Agreement. Councilmember Denuski seconded the motion. The motion passed 7 - 0.

Adoption of Resolution No. 16-288, Authorizing the Establishment of an Employee Recognition Program and an Annual Recognition Event – Rob Karlinsey, City Manager, and Janet Quinn, Project Coordinator, were present to provide a PowerPoint presentation and a brief report. They were also available to answer any questions.

Councilmember Curtis moved to Adopt Resolution No. 16-288, Authorizing the Establishment of an Employee Recognition Program and an Annual Recognition Event. Councilmember Herbig seconded the motion. The motion passed 7 - 0.

Consideration of Ordinance No. 16-0426, Wireless Communication Facilities Code Amendments – Debbie Bent, Community Development Director, and Lauri Anderson, Senior Planner, were present to give a brief report. They were also available to answer any questions.

It was Council consensus to have staff make two changes to the Ordinance, 1) make “small cells” a permitted use rather than requiring a conditional use permit, and 2) clarify that the major adjustment criterion that requires a “significant gap in service” applies to both a gap in service *coverage* and a gap in service *capacity*, and then bring the Ordinance back to the Council for adoption at a later meeting.

Adoption of Ordinance No. 16-0427, Complete Streets Policy for Design and Implementation of Transportation Projects in the City of Kenmore, Washington – Brett Schock, Traffic Engineer, and Kris Overleese, Public Works Director/City Engineer, were present to provide a PowerPoint presentation and a brief report. They were also available to answer any questions.

Councilmember Sperry moved to Adopt Ordinance No. 16-0427, Complete Streets Policy for Design and Implementation of Transportation Projects in the City of Kenmore, Washington. Councilmember Herbig seconded the motion. The motion passed 7 - 0.

STAFF REPORT

City Manager Karlinsey stated that the City had another sunny, warm day power outage, and got a lot of citizen complaints. This morning the City sent out a statement detailing what we are doing. He updated the Council on the status of the PSE franchise agreement. There was some discussion among Council on this issue.

CITY COUNCILMEMBER REPORTS, COMMENTS & INITIATIVES

Councilmember Sperry stated that the mural dedication was lots of fun and very special.

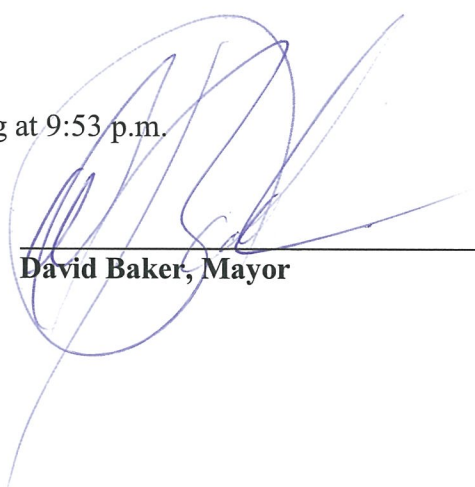
Councilmember Herbig stated that the mural dedication was pretty amazing.

Deputy Mayor stated that Mayor Baker is coming close to 15 years on the City Council. He noted that he has a WRIA 8 meeting this Thursday. ETP is planning a second conference on planning and technology on December 2nd.

Mayor Baker stated that he would like to do a proclamation in honor of Evelyn LaBorn's 100th birthday, which he will present to her on September 23rd. He will participate in a panel at the Downtown Seattle Association on Friday morning. He recently met with Dave Reichert about a few issues in Kenmore and some senior issues. He stated that he received an AWC Advocacy Award last Wednesday night. He and Kris Overleese represented the City at the recent Metro Connects Long-Range Plan kickoff. He was elected Chair of the Sound Cities Association Legislative Committee, and he serves on the AWC Legislative Committee. He stated that he will be gone for the next two meetings.

ADJOURNMENT

Mayor Baker adjourned the regular meeting at 9:53 p.m.



David Baker, Mayor

ATTEST:



Patty Safrin, City Clerk