

**City of Kenmore  
City Council Regular Meeting  
Minutes  
September 14, 2020**

**CALL TO ORDER** – Mayor Baker Called the meeting to order at 7:03 p.m.

**ROLL CALL**

All Councilmembers were present virtually via Zoom:

Mayor David Baker

Deputy Mayor Nigel Herbig

Councilmember Joe Marshall

Councilmember Milton Curtis

Councilmember Debra Srebnik

Councilmember Corina Pfeil

Councilmember Melanie O’Cain

**FLAG SALUTE**

**AGENDA APPROVAL**

There were no objections and the agenda was approved as submitted.

**CITIZEN COMMENTS**

Victoria Grayland, Kenmore

Ms. Grayland spoke about climate change and thanked the council for the “Racism is a Health Issue” resolution, about the K4C Climate Tool and an upcoming “People for Climate Action” training for elected officials.

John Peeples, Kenmore

Mr. Peeples thanked the council for maintenance of Swamp Creek Park and spoke in opposition of Resolution 20-349 because it was too vague.

John Hendrickson, Kenmore

Mr. Hendrickson spoke in opposition of the ADU ordinance 20-0510 because the changes could not be enforced, and this is a multi-family zoning change.

Sophia Le, Kenmore

Ms. Le spoke about a development currently under review, the Balbirnie Park Townhomes. She is concerned of the landslide potential at the site and would like more council oversight on development and a study of the area conducted.

Rose Hendrix, Kenmore

Ms. Hendrix spoke about her disappointment of the police recommendations which fail to respond to the citizen concerns from listening sessions. The fundamental concern with police and public relations is the issue in trust and Kenmore policing should be looked at in context of broader institution of the King County Sheriff and American Policing.

Phyllis Finley, Kenmore

Ms. Finley spoke in opposition of the ADU ordinance 20-0510 as the setbacks will alter character of neighborhoods. She spoke about her budget concerns and requests for expenditure cutbacks and staff reorganization.

Randy Bannecker

Mr. Bannecker spoke in favor of ADU regulations ordinance no 20-0510 on behalf of realtors' association. ADUS add affordability, can add to neighborhood quality and stability, support intergenerational living, and would not likely overwhelm City.

David Dorrian, Kenmore

Mr. Dorrian spoke about the police recommendations while he has had positive experiences with police, that is not the case for all. The recommendations fall short and he would like to see a public oversight committee and ongoing dialogue with the community.

Nadia Reigna Silver, Kenmore

Ms. Silver spoke about Migraine Awareness week, Black Mammography week, thanked the FSP Task Force for recommendations and spoke in favor of ADU regulations ordinance 20-0510. She was also not in favor of the police recommendations.

Theresa Dunning, Kenmore

Ms. Dunning also spoke about a development currently under review, the Balbirnie Park Townhomes for two reasons: The environmental impact of landslide and potential instability needs to be evaluated and that the development will not maintain character of neighborhood as a single-family area. She and other neighbors have concerns about how and when the zoning changed to allow this.

## **CONSENT AGENDA**

**MOTION:** Councilmember Curtis made a motion to approve the consent agenda which was seconded by Deputy Mayor Herbig. The motion passed unanimously.

The consent agenda included the following items:

Total Check #s 45414 through 45514 in the amount of \$4,098,132.97. Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposit

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Dated 8/14/2020 in the amount of \$172,114.38. Payroll Check #10159 dated 8/14/2020 in the amount of \$521.83.

Total Check #s 45339 through 45413 in the amount of \$774,277.56. Total Payroll/Taxes/Flexible Spending/Retirement/Health Savings Electronic Deposits Dated 7/31/2020 in the amount of \$168,535.13.

Approve City Council Minutes of 7/27/2020 and 8/03/2020.

Receive and File the July 2020 Financial Report for the City of Kenmore, Washington

Approve Resolution 20-351 to Approve the Use of Electronic Signatures

Authorize City Manager to Execute Lease Agreement for Council Chambers Audio Visual Updates

Authorize the City Manager to execute Contract 20-C1293 with Washington State Department of Commerce Grant for the Juanita Drive Ped/Bike Project

Approve Resolution 20-350 Ratifying the Proclamation & Issuance of Emergency Rule 20-03.5: Amendment to Temporary Moratorium on Residential Tenant Evictions

Authorize City Manager to execute Contract no. 20-C2128, Amendment No. 1 with Red Barn Engineering to continue to perform development engineering inspection services

**BUSINESS AGENDA**

Ordinance No. 20-0510 Amendments to Accessory Dwelling Unit (ADU) Regulations, Lauri Anderson, Principal Planner

Ms. Anderson provided background of the amendments and an overview of current regulations compared to proposed ordinance. Councilmembers asked clarifying questions to Ms. Anderson who explained the regulations allow for only one ADU which will not change from current regulations; this means there will be no change in the potential number of ADUs being built. Mayor Baker discussed his concerns of the affordable housing implications and Councilmember Marshall mentioned the importance of maintaining Kenmore's tree canopy, and his concerns of side yard setbacks and safety issues. Deputy Mayor Herbig explained that overall, these changes were not transformational, but rather incremental change which other councilmembers agreed with.

**MOTION:** Councilmember Srebnik made a motion to adopt Ordinance 20-0510 related to Accessory Dwelling Units. The motion was seconded by Councilmember Pfeil. The motion passed 5-2 with Mayor Baker and Councilmember Marshall voting no.

Obama Foundation Mayor's Pledge – Police Use of Force Report

Chief Moen provided recommendations for Kenmore Police as part of Obama Foundation Mayor's pledge to review, engage, report, and reform the police use of force policies. Chief Moen's presentation outlined specific information about the Kenmore Police such as costs, training, and use of force incidents. His update also compiled information gathered through the review process and engagement of the community through Community Listening Sessions held in July. No action was taken at the meeting.

Resolution 20-349 Declaring Racism a Public Health Crisis, Adam Nebenzahl, City Management Intern

**MOTION:** Councilmember Marshall made a motion to adopt Resolution 20-349 Declaring Racism a Public Health Crisis which was seconded by Mayor Baker. The motion failed 5-2 with Mayor Baker and Councilmember Marshall voting yes.

**MOTION:** Councilmember Curtis made a motion to adopt Resolution 20-349 Declaring Racism a Public Health Crisis with items B-F removed which was seconded by Councilmember O'Cain. After discussion, an amendment was proposed, see below. The motion was revised to include the amendment and passed 6-1 with Councilmember Curtis voting no.

**MOTION:** Councilmember Pfeil made a motion to amend Resolution 20-349 Declaring Racism a Public Health Crisis to add in an additional "Whereas" Statement provided by resident Vickey Grayland: "Whereas studies have shown that BIPOC communities are more likely to live in areas that experience the most harmful effects of pollution and climate change." The motion was seconded by Deputy Mayor Herbig. The motion passed 6-1 with Councilmember Curtis voting no.

Resolution 20-348 Developing a Framework to Begin the Process of Developing a Diversity, Equity, and Inclusion Policy, Adam Nebenzahl, City Management Intern

**MOTION:** Councilmember Pfeil made a motion to amend the inclusion position statement by adding the "city supports" and "whereby we grow together" with associated punctuation changes in the second paragraph. The motion was seconded by Councilmember O'Cain. The motion passed 6-1 with Councilmember Curtis voting no.

**MOTION:** Councilmember Pfeil made a motion to adopt the inclusion position statement as modified which was seconded by Councilmember O'Cain. The motion failed 4-3 with Councilmembers Marshall, Pfeil, and O'Cain voting yes.

- MOTION:** Councilmember O’Cain made a motion to adopt Resolution No 20-348 to develop a Diversity, Equity, and Inclusion policy as amended (see motions below) which was seconded by Deputy Mayor Herbig. The motion passed unanimously.
- MOTION:** Councilmember Srebnik made a motion to amend Resolution No 20-348 to change “should” to “may” in Sections 2-5 which was seconded by Councilmember Curtis. The motion passed unanimously.
- MOTION:** Councilmember Pfeil made a motion to amend Resolution No 20-348 to change “gaps” to “opportunity gaps” in Section 3 which was seconded by Mayor Baker. The motion failed 4-3 with Deputy Mayor Herbig, Councilmember Marshall and Councilmember Pfeil voting yes.
- MOTION:** Deputy Mayor Herbig made a motion to amend Resolution No 20-348 to add the first sentence from the inclusion position statement into the resolution as the first “whereas” statement and move other statements down. The motion was seconded by Councilmember O’Cain. The motion passed unanimously.
- MOTION:** Councilmember Pfeil made a motion to amend Resolution No 20-348 to amend the last whereas statement to change “equality” to “equity”. The motion was seconded by Deputy Mayor Herbig. The motion failed 4-3 with Councilmember Pfeil, Councilmember Marshall, and Deputy Mayor Herbig voting yes.
- MOTION:** Councilmember Marshall made a motion to amend Resolution No 20-348 to add “and will treat all people equitably” between “of all people” and “and will not tolerate discrimination”. The motion was seconded by Councilmember Srebnik. The motion passed unanimously.

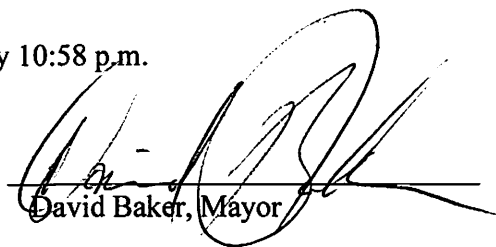
#### **STAFF REPORT**

Federal Corona Virus Relief Fund – Business Assistance, Nancy Ousley, Assistant City Manager

#### **COUNCILMEMBER REPORTS & COMMENTS**

#### **ADJOURNMENT**

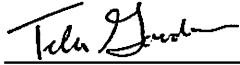
The meeting was adjourned at approximately 10:58 p.m.

  
David Baker, Mayor

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ATTEST:



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Tela Gardner on behalf of City Clerk