

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
Monday, September 16, 2024**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain – virtual
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: City Manager Rob Karlinsey
City Attorney Dawn Reitan
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Development Services Director Samantha Loyuk
Planner Reilly Rosbotham
Environmental Services Director Richard Sawyer
Climate Action Plan Program Manager Nina Rasmussen
Traffic Engineer Tobin Bennett-Gold

Speaking Guests: Elizabeth Mooney, Where’s the Fun
Tarelle Osborn, Osborn Consulting, Inc. – virtual
Mike Zarecor, Osborn Consulting, Inc. – virtual

Public Comments Speakers:
Alice Darnton, Kenmore Resident, KCLS
Katie Boyes, Kenmore Resident, KCLS
Jeff Pooley, Kenmore Resident
Elizabeth Mooney, Kenmore Resident
David Dorrian, Kenmore Resident – virtual
Tracy Banaszynski, Kenmore Resident – virtual

Public Hearing Speakers:

Stacey Valenzuela, Kenmore Resident

Jeffrey Pooley, Kenmore Resident

Kara Macias, Kenmore Resident

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 7:00 PM.

LAND ACKNOWLEDGEMENT

Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE

Mayor Herbig led the Council in the Pledge of Allegiance.

AGENDA APPROVAL

The agenda was approved as presented.

WHERE'S THE FUN?

Climate Action Plan Program Manager Nina Rasmussen unveiled the new Climate Action branding logo: Kenmore Environmental Action Now – K.E.A.N, which will be used on the City's website, education and outreach materials, and promotional materials. Mayor Herbig also highlighted the 106th birthday party of Kenmore resident Sarah Burch. Kenmore Resident Elizabeth Mooney highlighted last weekend's Streamfest event and thanked all groups who joined and participated.

PUBLIC COMMENTS

The City Council heard public comments.

Timestamped link:

<https://www.youtube.com/live/vPU0lRTMqXE?si=7qjjqgdbcWEBc3uQ&t=720>.

CONSENT AGENDA

- A. Approve Total Check #s 54919 through 54972 totaling \$267,640.79, Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 8/23/2024 in the amount totaling \$405,242.02, and EFT Payment #s 1675 through 1692 totaling \$33,000.47.

[Voucher Certification and Approval 8/17/2024-8/30/2024](#)

- B. Approve the re-allocation of \$3,279,700 of existing ARCH Housing Trust Fund funding approved by ARCH member councils previously awarded to the Plymouth Housing City of Kenmore Supportive Housing Project to the Plymouth Housing City of Redmond Supportive Housing Project. *(added 9/12)*

[Agenda Bill - Re-Allocation of ARCH Housing Trust Fund Funding \(added 9/12\)](#)
[Attachment 1 - ARCH Executive Board Recommendation Memo \(added 9/12\)](#)

MOTION: Councilmember Loutsis moved to approve the consent agenda outlined above. Councilmember Culver seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

PUBLIC HEARING

Proposed Ordinance No. 24-0609, Parking Requirements - Amending KMC Section 18.29.070 and Chapter 18.40, presented by Development Services Director Samantha Loyuk and Planner Reilly Rosbotham, *for public hearing*

[Agenda Bill - Parking Requirements, KMC 18.29.070 and 18.40](#)

[Attachment 1 - Proposed Ordinance No. 24-0609](#)

[Attachment 2 - Exhibit A to Proposed Ordinance No. 24-0609, Code Amendments](#)

Mayor Herbig opened the Public Hearing at approximately 7:31 PM.

The City Council received testimony from the public.

Timestamped link:

<https://www.youtube.com/live/vPU0lRTMqXE?si=YINgDF7jtXw5mvY2&t=2144>

Mayor Herbig closed the Public Hearing at approximately 7:39 PM.

BUSINESS AGENDA

A. Proposed Ordinance No. 24-0609, Parking Requirements - Amending KMC Section 18.29.070 and Chapter 18.40, presented by Development Services Director Samantha Loyuk and Planner Reilly Rosbotham, *for adoption*

[Agenda Bill - Parking Requirements, KMC 18.29.070 and 18.40](#)

[Attachment 1 - Proposed Ordinance No. 24-0609](#)

[Attachment 2 - Exhibit A to Proposed Ordinance No. 24-0609, Code Amendments](#)

MOTION: Councilmember Srebnik moved to adopt Ordinance No. 24-0609, amending Section 18.29.070 and Chapter 18.40 of the Kenmore Municipal Code. Mayor Herbig seconded the motion.

VOTE: 7 Yes – Culver, Sasson, Loutsis, Marshall, Srebnik, O’Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES.

B. Settlement & Release Agreement between City of Kenmore and Washington Business Properties Association and Proposed Ordinance No. 24-0604, Amending Chapter 8.55 KMC, Tenant Protections, *for adoption (added 9/11)*

[Agenda Bill - Settlement Agreement and Proposed Ordinance No. 24-0604 \(added 9/11\)](#)

[Attachment 1 - Settlement and Release Agreement \(added 9/11\)](#)

[Attachment 2 - Proposed Ordinance No. 24-0604 \(added 9/11\)](#)

[Attachment 3 - Exhibit 1 to Proposed Ordinance No. 24-0604 \(added 9/11\)](#)

[Attachment 4 - Just Cause Evictions Explained \(added 9/11\)](#)

EXECUTIVE SESSION 1:

As announced by the Mayor and City Attorney, Pursuant to RCW 42.30.110(1)(i), the City Council entered an executive session to discuss potential and pending litigation. The executive session was slated to last 15 minutes until approximately 8:45 PM. The Council entered the executive session at 8:30 PM. The Council exited the executive session at 8:45 PM.

MOTION: Councilmember Srebnik moved to approve the Settlement and Release Agreement between the City of Kenmore and Washington Business Properties Association and authorize the City Manager to sign the agreement. Councilmember Loutsis seconded the motion.

VOTE: 5 Yes – Loutsis, Marshall, Srebnik, Sasson, O’Cain; 2 No – Culver, Herbig; 0 Abstain.

MOTION PASSES.

Following the passage of the motion, City Manager Rob Karlinsey signed and executed the Settlement and Release agreement.

EXECUTIVE SESSION 2:

As announced by Mayor Herbig, Pursuant to RCW 42.30.110(1)(i), the City Council entered an executive session to discuss potential and pending litigation. The executive session was slated to last 10 minutes until approximately 9:16 PM. The Council entered the session at 9:06 PM. The Council exited the executive session at approximately 9:16 PM.

MOTION: Councilmember Culver moved to postpone this item (Ordinance No. 24-0604) to a date certain, next Monday, September 23rd. Mayor Herbig seconded the motion.

VOTE: 2 Yes – Culver, Herbig; 5 No – Loutsis, Marshall, Srebnik, Sasson, O’Cain; 0 Abstain.

MOTION FAILS.

MOTION: Councilmember Loutsis moved to adopt Ordinance No. 24-0604, amending Chapter 8.55 KMC, Tenant Protections. Councilmember Srebnik seconded the motion.

VOTE: 5 Yes – Loutsis, Srebnik, Sasson, Marshall, O’Cain; 2 No – Culver, Herbig; 0 Abstain.

MOTION PASSES.

Councilmember Culver was excused from the Council Meeting at 9:26 PM.

- C. Swamp Creek Property Conservation and Restoration Potential Prioritization, presented by Environmental Services Director Richard Sawyer, *for discussion*
[Agenda Bill - Swamp Creek Property Conservation and Restoration](#)

[Attachment 1 - Draft Swamp Creek Prioritization Results and Methodology Technical Memorandum](#)
[Presentation - Property Conservation and Restoration Assessment Tool](#)

The Property Conservation and Restoration Assessment Tool presentation, delivered by Kenmore Environmental Services Director Richard Sawyer and guests from Osborn Consulting, proposed a methodical framework for evaluating properties with regard to habitat restoration and conservation initiatives. The tool systematically assessed parameters such as developmental feasibility, wetland creation and preservation, riparian management, and stream restoration. Each of these aspects was scored based on weighted environmental factors, including soil composition, proximity to critical areas, and the potential for enhancing habitat rearing and fish passage. This scoring mechanism was intended to inform and prioritize conservation projects while supporting decisions regarding zoning regulations and environmental planning. In conclusion, the presentation emphasized extending the application of the tool to other watersheds throughout the city, thus enhancing long-term conservation strategies.

- D. Proposed Resolution No. 24-419, Climate Emergency Declaration, presented by Climate Action Plan Program Manager Nina Rasmussen, *for discussion and/or action*
[Agenda Bill - Resolution Declaring Climate Emergency](#)
[Attachment 1 - Proposed Resolution No. 24-419](#)
[Presentation - Climate Emergency Resolution](#)

Climate Action Program Manager Nina Rasmussen explained that the Kenmore City Council designated climate action to be the City's top priority for the coming biennium. This resolution serves to confirm and reiterate the City's continual commitment to its climate action plan and underscore the urgency of action. The Council was supportive of the resolution language.

MOTION: Councilmember Loutsis moved to adopt Resolution No. 24-419, declaring the existence of a climate emergency and reaffirming the City's commitment to its Climate Action Plan. Councilmember Srebnik seconded the motion.

VOTE: 6 Yes – Srebnik, Marshall, Sasson, Loutsis, O'Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES.

- E. Proposed Ordinance No. 24-0619, updates to KMC 10.45 Automated Traffic Safety Cameras, presented by Traffic Engineer Tobin Bennett-Gold, *for adoption*
[Agenda Bill - Automated Traffic Safety Cameras \(added 9/10\)](#)
[Attachment A - Proposed Fine Schedule \(added 9/10\)](#)
[Attachment B - Proposed Ordinance No. 24-0619 \(added 9/10\)](#)
[Attachment C - Description of Proposed Ordinance No. 24-0619 Revisions to KMC 10.45 \(added 9/10\)](#)
[Presentation - Kenmore Automated Photo Enforcement \(added 9/16\)](#)

MOTION 1: Councilmember Loutsis moved to approve the use of traffic safety cameras in the Inglemoor High school zone on Simonds Rd. Councilmember Marshall seconded the motion.

VOTE: 5 Yes – Marshall, Loutsis, Sasson, Srebnik, Herbig; 1 No – O’Cain; 0 Abstain.

MOTION PASSES.

MOTION 2: Councilmember Marshall moved to adopt Ordinance 24-0619 to update Chapter 10.45 of the Kenmore Municipal Code, Automated Traffic Safety Cameras. Councilmember Srebnik seconded the motion.

VOTE: 5 Yes – Marshall, Loutsis, Sasson, Srebnik, Herbig; 1 No – O’Cain; 0 Abstain.

MOTION PASSES.

MOTION 3: Councilmember Marshall moved to approve the contract amendment with Vera Mobility for an amount up to \$1.8 Million over five years plus marginal processing fees for Photo Enforcement Services and authorize the City Manager to sign the contract amendment. Mayor Herbig seconded the motion.

VOTE: 5 Yes – Marshall, Loutsis, Sasson, Srebnik, Herbig; 1 No – O’Cain; 0 Abstain.

MOTION PASSES.

EXECUTIVE SESSION 3

Pursuant to RCW 42.30.110(1)(i), the City Council entered an executive session to discuss potential and pending litigation at 10:30 PM. It was announced that the executive session was slated to last 15 minutes until approximately 10:50 PM. The Council exited the executive session at approximately 10:50 PM.

ACTION RELATING TO EXECUTIVE SESSION

MOTION: Councilmember Loutsis moved to accept and file the final report and supplemental report from Kathleen Haggard relating to the investigation of citizens’ complaints on the Public Works Operations Center (collectively, the Final Report). Based on the Final Report, the Council finds the complaint to be unsubstantiated and unsupported and directs the City Clerk to post the Final Report and supplemental report on the City’s website under the Public Works Operation Center information. Upon the filing of the Final Report this matter is closed with no further action to be taken.

Councilmember Srebnik seconded the motion.

VOTE: 6 Yes – Srebnik, Marshall, Loutsis, Sasson, O’Cain, Herbig; 0 No; 0 Abstain.

MOTION PASSES

STAFF REPORT

City Manager Rob Karlinsey highlighted Kenmore Business Alliance’s (KBA) Oktoberfest that is happening in Kenmore September 19-22. He showed the Council and the audience

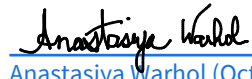
the passport that can be picked up at City Hall front desk or any of the participating vendors for the event.

COUNCILMEMBER REPORTS & COMMENTS

The Council agreed to cancel coffee with council scheduled for Monday, October 7th.

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:55 PM.



Anastasiya Warhol (Oct 1, 2024 12:05 PDT)

Anastasiya Warhol, City Clerk


Nigel G. Herbig (Oct 4, 2024 15:57 PDT)

Nigel Herbig, Mayor

draft City Council Regular Meeting of Monday, September 16, 2024

Final Audit Report

2024-10-04

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