

**City of Kenmore
City Council Regular Meeting
Minutes
September 23, 2019**

CALL TO ORDER - Mayor David Baker called the meeting to order at 7:00 p.m.

ROLL CALL

Mayor David Baker
Deputy Mayor Nigel Herbig
Councilmember Joe Marshall
Councilmember Milton Curtis
Councilmember Debra Srebnik
Councilmember Stacey Denuski
Councilmember Brent Smith (excused)

FLAG SALUTE

AGENDA APPROVAL

The agenda was approved as written.

PRESENTATION

Washington Finance Officers' Association - Professional Finance Officer Award
Brian Randall and Joanne Gregory

PROCLAMATION

Domestic Violence Awareness Month - October, 2019

Northshore Schools Foundation All in For Kids Month - October, 2019

CITIZEN COMMENTS

Susan Gins
6235 NE 184th Street
Kenmore, Washington 98028

Ms. Gins spoke about the Walkway and Waterways public arts proposal and provided suggestions.

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Phyllis Finley
5962 NE Arrowhead Drive
Kenmore, Washington 98028

Ms. Finley spoke about finances. She asked the City to update the website to include another update on the ballfield costs. The last update was in December 2018.

CONSENT AGENDA

MOTION: Councilmember Denuski made a motion to approve the consent agenda, Deputy Mayor Herbig seconded the motion. The motion passed unanimously.

The consent agenda included the following:

Approve Total Check #s 43221 through 43283 in the amount of \$327,904.60.
Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic
Deposits Dated: 8/30/19 in the amount of \$164,645.93.
8/30/19 Payroll Check 10149 in the amount of \$135.06.

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BUSINESS AGENDA

Resolutions 19-329 and 19-330 Providing for Support or Opposition to Northshore Parks and Recreation Service Area Proposition 1, Maintenance and Restoration Levy - Rob Karlinsey, City Manager

Additional Opportunity for Public Comment: Pursuant to RCW 42.17.A.555, members of the public and councilmembers will receive an approximately equal opportunity to express an opposing view.

City Manager Karlinsey explained that RCW 42.17A.555 states that a legislative body can take action to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the council or members of the public are afforded an approximately equal opportunity for the expression of an opposing view.

Under this statute, the City Council may consider taking a position on the upcoming Northshore Parks and Recreation Service Area Proposition 1, Maintenance and Restoration

Levy. If City Council chooses to take a position on the initiative it could send a message to residents and voters and help educate them on the issue.

Following is a discussion of the facts relating to the measure.

A YES vote would:

- Assess a new levy of up to \$.04 of assessed property value for residents in the taxing district (equivalent to the Northshore School District).
- Ensure funding is available to provide immediate and on-going capital repairs to the facilities housing the Northshore Senior Center and the Northshore Health & Wellness Center.

A NO vote would:

- Keep the Northshore Parks and Recreation Service Area tax rates at the current level. Not provide funding for capital repairs of the facilities.
- Defer capital repairs of the facilities.

History

The Northshore Parks and Recreation Service Area (NPRSA) founded in 1988 constructed Northshore Senior Center and the Northshore Health and Wellness Center. Northshore Senior Center leases the buildings, runs and funds the programs and daily operations, and pays for basic maintenance of the facilities. It is a nonprofit organization, providing programs and services annually for over 6,000 seniors, people with disabilities and family caregivers in our region. In 2018, 400 Kenmore Residents used these facilities in Bothell.

Current programs include help managing depression, programs slowing the progression of Parkinson's Disease, food assistance, recreational activities for special needs youth, help for seniors living on a fixed income and more.

Voters approved bonds to construct these heavily used public facilities, but no money for major maintenance was provided. Approaching thirty years old, the facilities need major repairs including roof replacement, windows, drainage and mechanical systems. These repairs total approximately \$4.7M and are beyond the routine maintenance the Center is obligated to cover.

Arguments for:

Proponents believe that at 4 cents per thousand dollars of assessed value, this maintenance and operations levy is a modest investment for some of the most vulnerable members of our community--seniors and people with disabilities. If passed, the levy would cost the average homeowner less than \$1.70 per month. The Senior Center is a non-profit organization that does not own these facilities nor have the financial means to generate the revenue needed to fully restore them. It is vital that these important public assets remain safe and well maintained for generations to come.

Arguments against:

Those opposed to the ballot measure may argue that overall taxing rates have gone up in the area, and that an additional increase in property tax would put more of a financial burden on tax payers. Opponents may also argue that other funding sources, including fees on the users of the facilities, should be explored before moving forward with a property tax levy ballot measure.

If the initiative were to pass the City anticipates fewer one-time emergency funding requests to cover emergency repairs to these facilities. As a participant in the Interlocal Agreement governing the Northshore Parks and Recreation Service Area, the City of Kenmore is one of several stakeholders who have been called upon to cover these costs.

Mayor Baker opened the meeting for public comment. There was no public comment.

MOTION: Councilmember Srebnik made a motion to approve Resolution 19-329 Providing for Support to Northshore Parks and Recreation Service Area Proposition 1, Maintenance and Restoration Levy, Councilmember Denuski seconded the motion. The motion passed 5-0 with Councilmember Marshall recusing himself. (Councilmember Marshall noted that he's on the NPRSA committee therefore he is recusing himself from the vote)

Ordinance #19-0485 Amending Kenmore Municipal Code Chapter 9.15 False Alarms - Peter Horvath, Police Chief

Chief Horvath explained that the Kenmore Municipal Code Chapter 9.15 False Alarms was enacted by the City in 1998. At that time, technology, and the accessibility of information to officers on the street was not what it is today; 21 years later.

Since its enactment, this False Alarm ordinance required the owners of any alarm system to register their system and personal information on a contact card with the City Clerk. This ordinance also states the City's Police may not respond to any alarm system for which a contact card has not first been obtained and completed. Further, the Code requires anyone with an unregistered alarm system make it non-operational, until such time as the owner has submitted such contact card with the City Clerk.

This registration requirement was put in place so the Police Department could easily access an alarm system's owner's info, and subsequently notify said owner of repeated false alarm calls, issue fines when appropriate, and/or place the alarm in a "no response" status, until the fines were remitted and corrections were made to the alarm system.

Despite this contact card code requirement, the City has not maintained such a file in multiple years, and such a legacy file has not been located by my office, nor the City Clerk.

Also, with the implementation of computer aided dispatch, (CAD) being in all patrol cars, the alarm and contact info, maintained by the respective alarm companies is available to responding officers, at the time of dispatch. Additionally, the Police Department can readily obtain from historical CAD records, whether an alarm system is responsible for repeated false alarms, and police responses. Further, should the City chose to continue with the contact card registration process, this database would not reflect the plethora of alarm systems currently in operation within the City, and, officers in the field, and the King County Sheriff's Office's 9-1-1 Center would not have access, to the City Clerk's file of contact cards to verify whether a system is registered or not. Officers would continue to be dispatched and would respond to alarm calls whether a City contact card existed or not.

It is my recommendation the requirement for alarm system owners to submit a contact card registration, to the City Clerk, and any mention of registration numbers provided by Alarm Companies requesting cancellation of Police response, be removed from the Code.

MOTION: Councilmember Denuski made a motion to approve Ordinance 19-0485 Amending Kenmore Municipal Code Chapter 9.15 False Alarms, Councilmember Curtis seconded the motion. The motion passed unanimously.

Approve the Use of Unexpended Public Art Funds in the Amount of \$114,000.00 to Add to the 1% Public Art Funding Generated From the Three Walkways and Waterways Project at Log Boom, Squire's Landing and Rhododendron Parks in Order to Create Significant Works of Art in Each of the Three Park Sites - Debbie Bent, Community Development Director and Joanne Gregory, Finance and Administration Director

Staff is requesting approval from City Council to reallocate unexpended public art funds in the amount of \$114,000.00 to add to the 1% public art funding for the three Waterways Projects at Log Boom, Squire's Landing and Rhododendron parks in order to create significant works of art in each of the three project sites. Ordinance 01-0115 established a 1% for the arts program and a public art fund to set aside one percent of the funds to be expended on public projects within the City for the funding of art for public places, now Chapter 3.50 of the Kenmore Municipal Code. Attachment 1, Section 7 Public Art Fund – Uses, Subsection B, indicates that City Council must authorize use of unexpended public art funds before they can be expended.

The voter approved Walkways and Waterways projects will create significant public spaces for our community. Adding art in public spaces further enhances civic pride. Of the five Walkways and Waterways projects, only one (68th Avenue Pedestrian & Bicycle Safety Project) will be unable to incorporate public art into the design of the capital project due to limited right-of-way. This project will contribute approximately \$65,000 to the public art fund. The Juanita Drive Pedestrian and Bicycle Safety Project will incorporate a significant amount of public art into the design with an estimated \$121,500.00 in 1% public art funds.

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Table 1 on page 2 is an estimate of the total 1% public art funding that would be generated from construction contracts from the three Waterways projects at Log Boom, Squire's Landing and Rhododendron parks. With less than \$70,000 available, it will be difficult to create a meaningful art impact in locations where there is space for the public to engage with art. Table 2 on page 2 shows staff's recommendation for utilizing unexpended public art funding in the amount of \$114,000.00 towards the public art at the three Waterways project locations.

If City Council approves the use of the unexpended funding, the total that would be available for art in these three public spaces would be \$183,474.30.

Table 1: 1% Public Art Fund Available for art being incorporated at Waterways Projects

Projects	Estimated \$ for 1% Public Art
Rhododendron Park Boardwalk and Float Project (Completed)	\$17,214.30
Squire's Landing Park Waterfront & Natural Area Access Project	\$39,260.00
Log Boom Park Waterfront Access & Viewing Project	\$13,000.00
Total	\$69,474.30

Table 2: Total Unexpended Public Art Funding Available

1% Public Art Fund Contributions Generated From:	Estimated 1% Funds Available For Reallocation
The Public Art Fund Available Balance	\$49,000.00
The 68 th Avenue Pedestrian & Bicycle Safety Walkways Project	\$65,000.00
Total	\$114,000.00

Staff has hired Carolyn Law, a consulting public artist, through Contract 19-C2059 (see Attachment 2) to assist staff with identifying appropriate themes, materials and locations for art at each park site. Ms. Law will provide services to assist the City with the artist selection process. To save Public Art Fund dollars for the art works, Contract 19-C2059 is funded equally by the three capital project budgets. As work under this contract has yet to begin, staff will update City Council about the public art process at a future meeting this fall when staff provides an update on the walkways and waterways projects.

Table 2 shows that there is up to \$114,000.00 available from public art contributions not directly attributable to the W&W Park projects. \$49,000.00 is available within the current public art fund balance. \$65,000.00 is the anticipated contribution from the 68th Avenue pedestrian and bicycle safety Walkways project. Contract 19-C2059's \$5,750 fee is budgeted from the Parks Capital Improvement Program project budgets: (P-28 Log Boom Park Waterfront Access Project, P-27 Squire's Landing Park Waterfront Access Project and P-18a Rhododendron Park Boardwalk and Float Project).

MOTION: Deputy Mayor Herbig made a motion to allocate \$74,000 to 3 and \$40,000 for the Hangar, Councilmember Marshall seconded the motion.

AMENDMENT TO THE MOTION:

Councilmember Denuski made an amendment to the motion to retain the \$40,000 for future art (assuming it may go to the Hangar), Councilmember Curtis seconded the motion. The motion passed unanimously.

ORIGINAL MOTION VOTE:

Passed unanimously.

STAFF REPORT

Heavy Manufacturing History - Bryan Hampson, Development Services Director

ADJOURNMENT

The meeting adjourned at 8:15 p.m.



David Baker, Mayor

ATTEST:



Kelly M. Chelin, City Clerk