City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, March 20, 2023

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
Councilmember David Baker
Councilmember Joe Marshall
Councilmember Angela Kugler
Councilmember Debra Srebnik
Councilmember Corina Pfeil

Staff: City Manager Rob Karlinsey
Deputy City Manager Stephanie Lucash
City Attorney Dawn Reitan – Virtual
Acting City Clerk Michelle Kang
Co-Clerk Brian Randall
Community Development Director Debbie Bent
Development Services Director Samantha Loyuk
Building Official Tom Phillips – Virtual
Building Plans Examiner and Inspector Lukasz Lisowski
Public Works Operations Director Jennifer Gordon – Virtual

Speaking Guests: Jan Shaw, Seattle Outboard Association Race Chairman – Virtual
Rod Stevens, Business Street Consultant

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the special meeting to order at 6:00 PM.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATION

Mayor Herbig proclaimed April as Child Abuse Prevention Month. Mayor Herbig also read a statement from Dawson Place regarding the proclamation, as no one from the agency was able to receive the proclamation.

Child Abuse Prevention Month

PRESENTATION

Seattle Outboard Association Race Chairman Jan Shaw shared information about the Hydroplane Race Event to take place in Kenmore on Saturday, April 15, 2023. There is an event the evening before on Friday, April 14, 2023, at 192 Brewing Company.

WHERE'S THE FUN?

City Manager Rob Karlinsey presented to Council photos of goats helping clear the blackberry bushes alongside volunteers this past Saturday and photos of the new accessible boat launch at ƛ̓aǰʷadis (Tl' awh-ah-dees) Park.

PUBLIC COMMENTS

There were no public comments provided during this meeting.

CONSENT AGENDA

A. Cancel the City Council Regular Meeting of April 24, 2023. Schedule a City Council Special Meeting for April 24, 2023, to begin at 6:30 PM.

B. Receive and File the Meeting Minutes from the February 6, 2023 Special Joint Meeting with the Northshore School District Board of Directors, prepared by Peggy Smith, NSD Administrative Assistant to the Superintendent.
Meeting Minutes from the February 6, 2023 Special Joint Meeting with the Northshore School District Board of Directors

C. Approve Total Check #s 51563 through 51651 totaling $840,760.03 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 02/24/2023 in the amount totaling $197,387.91 and ACH Payment to Thomco Construction in the amount of $464,262.29, and ACH Payments to US Bank Purchase Cards in the amount of $22,253.72, and Payroll Check #10206 in the amount of $978.50.
Voucher Certification and Approval 02/18/23 - 03/03/23

D. Authorize the City Manager to execute Contract No. 22-C2830 Amendment No. 2 with Wagner Architects and Planners for planning and design services for the City of Kenmore Public Works Operations Center.
Agenda Bill - Amendment No. 2 Wagner Architects and Planners
Attachment 1 - Contract 22-C2830
Attachment 2 - Contract 22-C2830 Amendment No. 1

Attachment 3 - Contract 22-C2830 Amendment No. 2

E. Authorize the City Manager to execute Amendment #8 to Contract No. 16-C1625 with HDR Engineering, Inc. increasing the contract amount by $189,758 and extending construction management services through June 2023 to complete the Juanita Drive NE Pedestrian and Bicycle Safety Improvements Project. *(Added 3/14)*
Agenda Bill - Contract No. 16-C1625 Amendment #8

MOTION: Councilmember Baker moved to approve the consent agenda outlined above. Councilmember Kugler seconded the motion.
VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

STUDY SESSION AGENDA

A. Kenmore Downtown Development Concepts and Recommendations presented by Rod Stevens, Consultant
Presentation - Kenmore Downtown Development Concepts and Recommendations (Added 3/20)

Consultant Rod Stevens presented to the Council the recommendations for the Bench and Kenmore Village. The two questions that had been posed to Rod are 1) what is the highest and best use of the Bench economically; and 2) how does the City get the remaining owners in Kenmore Village to redevelop? Rod Stevens separated the areas into three sections: Left Side, Center, and Right Side.

The analysis done to create the recommendation includes:
- Appraisal and title reports
- Multifamily land transactions
- Tax and use data
- Broker and developer calls
- Extensive walking driving

Comments about the Left Side of Kenmore, including the Bench:
- Young people on the Eastside need a place to buy.
- Regional demand for affordable owner-occupied housing.
- Large sites like U.S. Bank, church infill.
- The Bench is one of the toughest real estates. It is an orphan location that you can only turn right in.
- Suggestion: drive through only kiosks such as Dutch Bros
- “Create a cascade of value.”

Comments about the Center:
- Kenmore Village lacks visibility because it wasn’t built on SR 522; it has had weak retail tenancy for over 25 years.

- Only four privately-owned undeveloped properties in Kenmore Village.
- Kenmore Village was never developed as a single property from a master plan. There is no agreement between parties for the joint use of the property, like in a normal shopping center.
- Suggestions: Expand Kenmore Village to include the two blocks south to touch SR 522. Create a walkable “main street” as a place for retail access and exposure east, west, and south. Put more properties in play. Green up the area.
- Relocate the Post Office in the new development, preferably right on SR 522.

Comments about the Right Side:
- Kenmore Village becomes a chassis for car-free living.
- Parking cost = land cost. Eliminating structured parking space reduces the cost of development.
- Major opportunity for more units.
- This area is a great walkability area with coffee, shops, transit, and nature.

Final Considerations:
1. Holistic decision making
2. Post-COVID opportunities for urban revitalization
3. Increasing competition

Councilmembers provided some questions and comments.
- Where do condos fit into this?
    - If I could do condos anywhere, it would be on the lower two blocks of Kenmore Village or in Kenmore Village. The problem right now is that builders are scared of lawsuits.
- Concern about homeowner’s association fees that are so high that it deters individuals from buying.
- For preserving the historic World’s Fair buildings in Kenmore Village and the diverse BIPOC owned businesses.
- There’s no recommendation for commercial space or retail space along SR 522, so is the idea here to just attract people into the city center?
    - Retail won’t work there. Almost one in four dollars in the retail world outside of groceries and auto were spent on the internet; even big stores like Best Buy can’t compete. Instead, we need high service retail stores where we spend our leisure time, such as yarn stores, bike stores, bookstores, record stores. A great example of this is Kenmore Camera. This type of small retail where there is face-to-face relationships and expertise are the ones that you want.
- Does having residential at street level through townhomes instead of commercial create the same walkability?
    - Yes.

B. Development Services Upcoming Building Code Updates, presented by Development Services Director Samantha Loyuk, Building Official Tom Phillips, and Building Plans Examiner and Inspector Lukasz Lisowski
Agenda Bill - Building Code Update
Attachment 1 - Memo with Exhibits A-D (updated 3/15)
Attachment 2 - Presentation

Staff presented updates to be made to the building code. The presentation is supposed to supplement the Attachment 1 Memo.

The building enforcement industry goes through updates every three years as codes progress and are fine-tuned. The codes are written at the national level by the International Code Council. Washington State participates in that and brings the codes to our state for adoption through the State Building Code Council (SBBC) who adopt new codes in a three-year cycle during November. The state laws that were adopted November 18, 2022, go into effect on July 1, 2023. During that time, local governments have the opportunity to look at the code and decide if they want to add anything else. Cities are required by law to implement the base building code, but we can make it more stringent with a few exceptions.

Some of the changes that are coming this year include:
- International Wildland-Urban Interface Code
- Building Code
- Fire Code
- Energy Code
- Construction Administration Code
- Property Maintenance Code

Many of these changes focus on the Climate Action Plan focus areas:
- Building and Energy
- Transportation and Land Use
- Consumption and Materials Management
- Natural Systems and Water Sources
- Community Resilience and Wellbeing

Councilmembers provided some questions and comments.
- Are the follow-ups that were approved by King County Cities Climate Collaboration (K4C) and SBCC for commercial or residential?
  - Mostly residential.
- One of our highest priorities is affordable housing. How will the implementation of these new codes impact the multi-family developers?
  - By state law, there will be changes and some bumps. Some builders are going to be impacted. The best we can do is mitigate the impact. The builders don't like

the extra cost but what they don't like even more is unpredictability. If we can have codes clear and have the reviews done in a timely, predictable manner. Staff does not see the expenses being a greater hardship concern. The letter from the Master Builders states that the code changes will add an estimated $14,150 to the price of a new home.

- Discussion about solar panels.
- There is language that essentially bans new gas furnaces. Is there a way for us as a City to just ban new gas installations for new construction?
    - There is legislation through Olympia right now which will prohibit gas utilities from extending their services to new developments, but we do not know if we can do that because of the utility trade commission regulations.

Staff asked Council key questions for Council to consider:

1. Does City Council want to revise the code to require residential construction projects to be completed on the outside of the house within two years?
2. Does City Council want to revise the code to extend building permits for multifamily and commercial projects from 2 years to 3 years?
3. Does City Council want to follow Seattle's policy and require an energy certificate for commercial buildings at the point of sale?
4. Does City Council want to revise the code to exempt all solar panels (regardless of size from building permit?
5. Does City Council want to adopt IRC Appendix T? Yes
    a. Should it also be adopted to the IBC?
6. Does City Council want to adopt IRC Appendix Y? Bring back with more clarity, what surrounding cities are doing, and potential costs.
    a. Should it also be adopted to the IBC?
7. Does City Council want to adopt IRC Appendix Z? Bring back with more clarity, what surrounding cities are doing, and potential costs.
    a. Should it also be adopted to the IBC?

With direction from the Council, Staff will return at a later council meeting to bring back the draft code updates for a public hearing and adoption.

STAFF REPORTS

A. Public Works Operations Director Jennifer Gordon reported to the Council about Kenmore's Earth Day Event to happen on April 22, 2023. Some of the activities that will occur during the event include water and social testing activity, park scavenger hunt, nature walks, and work party to beautify a park.

B. Deputy City Manager Stephanie Lucash reported that the $5.1 million dollar legislative ask from Kenmore for affordable housing is in the Senate budget in Olympia.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the special meeting at approximately 9:48 PM.

Nigel G. Herbig (May 10, 2023 07:55 PDT)

Nigel Herbig, Mayor

Michelle Kang (May 9, 2023 11:34 PDT)

Michelle Kang, Acting City Clerk

City Council Special and Regular Meeting Minutes from March 20, 2023

Final Audit Report 2023-05-10

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