

City of Kenmore
City Council Regular Meeting
Minutes
February 14, 2011

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

Councilmembers present: Mayor David Baker, Deputy Mayor Milton Curtis, Councilmembers Bob Hensel, John Hendrickson, Laurie Sperry, Allan Van Ness, and Glenn Rogers.

Staff present: Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance Director; Ron Loewen, City Engineer; Debbie Bent, Director of Community Development; Cliff Sether, Police Chief; Dawn Findlay, City Attorney; and Lynn Suskin, City Clerk

FLAG SALUTE

Brent Smith, Kenmore resident, led the flag salute.

AGENDA APPROVAL

Deputy Mayor Milton Curtis moved to approve the agenda as submitted. Councilmember Glenn Rogers seconded the motion. The motion passed unanimously.

CONSENT AGENDA

Councilmember Laurie Sperry moved to approve the consent agenda as submitted. seconded the motion to approve the Minutes of the January 10, 2011 Regular Meeting and the January 19, 2011 Special Council Meeting; Approval of Claim Nos. 23321 - 23464 in the Amount of \$952,494.65 for the period ending February 2, 2011; Declare the Single-Family Residence and all Above Ground Structures at 7321 NE 192nd Street to be Surplus and Authorized for Sale; Authorize the City Manager to Acquire and Restore the 16,250 Square Foot Parcel at 18808 73rd Ave NE with Surface Water Management Funds in the Amount of \$422,000, Which Includes the Purchase Price, Acquisition Fees, and Site Restoration; Authorize City Manager to Execute Contract No. 11-C910 with Olympic Environmental Resources for Project Management of the 2011 City of Kenmore Recycling Projects; Adopt Resolution No. 11-185 Adopting the North King and South Snohomish Counties Regional Mitigation Plan 2010 Update as Developed by the Emergency Services Coordinating Agency in Cooperation with Fourteen Cities, Towns and Special Purpose Districts; Adopt Resolution No. 11-188 in Support of Placing on the Ballot for King County Voters' Consideration in 2011 a Measure that Would Renew the King County Veterans and Human Services Levy; and a Motion to Change the Tuesday, February 22, 2011 Regular Council Meeting Start Time from 7:00 p.m. to 6:00 p.m. The motion passed 6-1 with Councilmember John Hendrickson voting no.

CITIZEN COMMENTS

Dave Crawford, 7534 NE 175th St., Kenmore, was present to state the importance of City financial planning and the recruitment of a new City Manager.

Carl Michelman, 18023 62nd Ave. NE, Kenmore, was present to state his concerns related to the proposed Council Conduct ordinance.

Janet Hays, 6303 NE 181st St., Kenmore, was present to state her concerns related to the discussions at the recent Council Retreat and the proposed Council Conduct ordinance.

Bob Black, 8232 NE 166th, Kenmore, was present to state his concerns related to the proposed Council Conduct ordinance. He stated that he continues to support the public's right to purchase and discharge fireworks on the 4th of July.

Dianne Bates, 6239 NE 204th Place, Kenmore, was present to state her concerns related to the proposed Council Conduct ordinance.

Todd Bergmann, 19812 68th Ave. NE, Kenmore, was present to state his concerns related to the proposed Council Conduct ordinance.

Bob Hays, 6303 NE 181st St., Kenmore, was present to state his concerns related to the discussions at the recent Council Retreat and the proposed Council Conduct ordinance.

Bill Roetcisoender, 6130 NE 197th, Kenmore, was present to state his support of for the proposed Council Conduct ordinance.

PROCLAMATION

Proclamation Recognizing Kenmore Les Schwab Tire Centers for their Generosity to the Kenmore Community - Mayor David Baker, on behalf of the entire City Council, awarded the staff representatives from the Kenmore Les Schwab Tire Center a proclamation and plaque for their generosity to the community.

BUSINESS AGENDA

Discussion and Adoption of Ordinance No. 11-0320 Amending Section 9.50.030 of the Kenmore Municipal Code Relating to the Definition of the Crime of Prostitution, and Providing for an Effective Date – Cliff Sether, Kenmore Police Chief, was present to review the proposed ordinance. He stated that the passage of this ordinance would adopt the Revised Code of Washington (RCW) definition of "Sexual Contact" and is on the advice of the City's Prosecutor and King County Police Services. He was also available to answer any questions.

Deputy Mayor Milton Curtis moved to Adopt Ordinance No. 11-0320 Amending Section 9.50.030 of the Kenmore Municipal Code Relating to the Definition of the Crime of Prostitution, and Providing for an Effective Date. Councilmember Glenn Rogers seconded the motion. The motion passed unanimously.

Motion to Adopt Resolution 11-187 Declaring an Emergency for the Earth Slide in the 15300 Block of 61st Place NE that Endangers the Public Roadway and Utilities - Ron Loewen, City Engineer, was present to provide a report in which he reviewed that during the December 12, 2010 and

January 12, 2011 weather events, a portion of the hillside at 15301 61st Place NE on the west side of the roadway slid as a result of saturated soils. He stated that the slide extended to the curb of the roadway and endangered the roadway and utilities within the public right-of-way and that immediate action was warranted and temporary measures were taken to stabilize the site. He stated that staff is requesting that the City Council appropriate the funds necessary to complete the design and construction of the retaining wall at a later date along with appropriate budget amendments. He was also available to answer any questions.

Councilmember Bob Hensel moved to Adopt Resolution 11-187 Declaring an Emergency for the Earth Slide in the 15300 Block of 61st Place NE that Endangers the Public Roadway and Utilities. Councilmember Allan Van Ness seconded the motion. The motion passed unanimously.

Discussion and Possible Action on Policing Evaluation Services Contract No. 11-C912 with Matrix Consulting Services in the Amount of \$40,000 – Nancy Ousley, Assistant City Manager, was present to give a report. She reviewed that one of the Council's top five policy priorities for 2010 and 2011 is the review of contract services and contract service delivery. She stated that the proposed contract is for the continuation of that review. She was also available to answer any questions.

Richard Brady, Matrix Consulting Services, was present to review the proposed contract and the displays that he had brought with him. He was also available to answer any questions.

Discussion followed.

Deputy Mayor Milton Curtis moved to Authorize the City Manager to Execute a Policing Evaluation Services Contract No. 11-C912 with Matrix Consulting Services in the Amount of \$40,000. Councilmember Glenn Rogers seconded the motion. The motion passed unanimously.

Discussion and Consideration of a City of Kenmore Transportation Benefit District (TBD) - Ron Loewen, City Engineer, was present to give a report in which he reviewed that based on the discussion at the July 12, 2010 Council meeting; City Staff was directed to proceed with the preparation of reports and documents related to the creation of a TBD. He reviewed the documents that were included in the Council packet. He was also available to answer any question.

It was Council consensus not to pursue a TBD at this time.

Adoption of Ordinance No. 11-0321 of the City of Kenmore, Washington, Adopting Rules of Conduct for City Council Members, Providing for Severability, and Establishing an Effective Date – Mike Kenyon, attorney, was present to review the proposed ordinance. He was also available to answer any questions.

Discussion followed.

It was Council consensus to have the already appointed 3-member Council sub-committee meet to review the Council rules and procedures and report back to the entire Council with a recommendation.

COUNCILMEMBER COMMENTS/REPORTS

Councilmember John Hendrickson stated that he had not received the questions he had asked relating to the City's taxing authority. He also stated that he had submitted a public record request and the response he got from staff was that they provided him with the audio, but that wasn't a sufficient response. He had concerns about the amount of time it would take him to listen to all those hours of Council meeting audio to find the discussion that he believes exists. He stated that staff be directed to listen to all those hours of audio and find it for him.

Councilmember John Hendrickson made a motion to direct staff to follow through and listen to the meeting audio. Councilmember Bob Hensel seconded the motion. The motion failed 2-5 with Councilmember John Hendrickson and Councilmember Hensel voted aye.

Mayor David Baker stated that we can take our bank capacity. He also stated his concerns relating to the Social Security program.

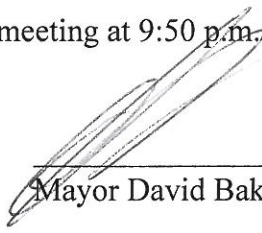
Deputy Mayor Milton Curtis reviewed the positive steps that are being taken to alleviate the odors from the asphalt plant.

Councilmember Allan Van Ness reported on the recent conference he attended in Savannah Georgia. He stated that amongst the various classes/training he participated in at that conference was the role of economic strategy.

It was Council consensus that a 3-member Council sub-committee be formed to meet and review Kenmore's current economic strategy and discuss how the City could implement this some of this new strategy.

ADJOURNMENT

Mayor David Baker adjourned the regular meeting at 9:50 p.m.



Mayor David Baker

ATTEST:



Lynn Suskin, City Clerk