

City of Kenmore
City Council Special and Regular Meeting
Minutes
March 26, 2012

CALL MEETING TO ORDER - 6:30 p.m.

EXECUTIVE SESSION – Mayor David Baker adjourned the special meeting at 6:30 p.m. to an executive session Pursuant to RCW 42.30110(1)(i) – Potential Litigation. He stated that the executive session will last for approximately 30 minutes and that no action is anticipated when the meeting is reconvened back to regular session.

RECONVENE BACK TO REGULAR MEETING – Mayor David Baker reconvened the meeting back to regular session at 7:00 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Bob Hensel, and Councilmembers Milton Curtis, Brent Smith, Laurie Sperry and Allan Van Ness

Councilmembers excused: Councilmember Glenn Rogers

Staff present: Joanne Gregory, Finance Director; Ron Loewen, City Engineer; Debbie Bent, Director of Community Development; Jennifer Gordon, Public Works Operations Manager; Bryan Hampson, Director of Land Development and Permitting; Cliff Sether, Police Chief; Dawn Findlay-Reitan, City Attorney; and Lynn Suskin, City Clerk

FLAG SALUTE

Dave Crawford led the flag salute.

AGENDA APPROVAL

Councilmember Lauri Sperry moved to add two contracts to the agenda to immediately follow the consent agenda. Mayor David Baker seconded the motion. The motion passed unanimously.

Council unanimously approved the agenda as amended.

CITIZEN COMMENTS

Dave Crawford, 7534 NE 175th St., Kenmore, was present to state his concerns related to traffic and the Kenmore Park & Ride lot.

Karen Tarr, 18523 68th Ave. NE, #204, Kenmore, was present to distribute and read a resolution into the record that was adopted by the city of Portland, Oregon, related to constitutional rights and campaign contribution regulations. She requested that Council consider adopting a similar resolution.

Bob Trutenau, 18523 68th Ave. NE, #204, Kenmore, was present to support Karen Tarr's resolution.

Patrick Calloway, 7301 NE 175th St., #116, Kenmore, was present to state his concerns relating to the Inglemoor Mobile Home Park.

Janet Hays, 6303 NE 181st St., Kenmore, was present to state concerns relating to dioxins and PCBs in the Lake. She questioned whether the passage of Ordinance No. 12-0338 would limit her right to full public disclosure.

Elizabeth Mooney, 5934 NE 201st St., Kenmore, was present to state her concerns regarding dioxins and PCB's in the water. She requested warning signs be installed. She submitted information into the record related to the Harbor Village Marina dredging.

Javi Kristenson, 12821 82nd Ave. NE, Kirkland, was present to share his concerns related to the health of the Lake.

Dennis Mendrey, 6410 NE 182nd St., Kenmore, was present to state his concerns relating to the concrete that is being used at the LakePointe site. He reviewed and submitted a letter into the record related to dioxins and the SR 520 Bridge Replacement.

Dennis DePape, 18918 73rd Ave. NE, Kenmore, was present to state his concerns relating to the proposed Ordinance No. 12-0337. He stated that passage of the regulations would mean he cannot add a second floor to his home without having to go through a SEPA.

Penny Perry, 7301 NE 175th St., Kenmore, President of the Inglemoor Mobile Home Park Homeowner's Association, stated that the new owners are passing the Surface Water Management fees onto the residents of the mobile home park.

David Mason, 20305 60th Ave. NE, Kenmore, stated his concerns relating to number of alder trees growing in the retention pond that is located west of 67th Ave. NE and north of 199th. He stated that he was told that the road buttons on 60th Ave. NE that are missing would be replaced.

John Hendrickson, 5919 NE 202nd Lane, Kenmore, was present to state his concerns relating to Kenmore Village, the settlement with Urban Partners, and that reserves are being used to balance the budget. He submitted his personal financial sheet into the record.

John Krumwide, 7301 NE 175th St., Kenmore, was present to state his concerns relating to the Inglemoor Mobile Home Park.

Mayor David Baker summarized the citizen's comments.

CONSENT AGENDA

Councilmember Laurie Sperry moved to approve the consent agenda as submitted.
Councilmember Allan Van Ness seconded the motion to Approve the Minutes of the January 17, 2012 Special Council Meeting and the February 8, 2012 Special Council Meeting; Approve Claim Nos. 25509-25574 in the Amount of \$329,702.54 for the Period Ending March 14, 2012;

and Authorize the City Manager to Execute a Compromise Settlement Agreement and Release of all Claims with Bucher, Willis & Ratcliff Corporation Resulting in a Payment to the City of \$200,000. The motion passed unanimously. Councilmember Allan Van Ness moved to approve Contract No. 12-C1024 Settlement Agreement with City of Brier. Deputy Mayor Bob Hensel seconded the motion. The motion passed unanimously.

Councilmember Allan Van Ness moved to approve Contract No. 12-C1025, a Consultant Contract with the City of Brier & Watershed Company. Deputy Mayor Bob Hensel seconded the motion. The motion passed unanimously.

PUBLIC HEARING

Public Hearing on Proposed Revisions to Kenmore Municipal Code Section 19.35.060 to Remove Certain State Environmental Policy Act (SEPA) Exemptions in Frequently Flooded Areas - Debbie Bent, Director of Planning and Community Development, was present to provide a staff report. She, along with Senior Planner Lauri Anderson, were available to answer any questions.

Mayor David Baker opened the public hearing to receive public testimony at 7:55 p.m.

The following citizens spoke:

Dave Crawford, 7534 NE 175th St., Kenmore, was present to state that there are no salmon in Swamp Creek. He expressed concerns related to restoration work in Swamp Creek.

Dennis DePape, 18918 73rd Ave. NE, Kenmore, to state his concerns relating to the proposed requirement that a SEPA would be required if a resident decided to build a 2nd story to their home. He stated that this requirement should not kick in unless the home is being expanded from its original footprint.

Elizabeth Mooney, 5934 NE 201st St., Kenmore, was present to state that she supports Dennis DePape's comments.

Hearing no further testimony, Mayor David Baker closed the public hearing at 8:05 p.m.

BUSINESS AGENDA

Consider Appointments to the Kenmore Library Advisory Board (KLAB) – Laurie Sperry reviewed that KLAB had held interviews for the vacant positions. She stated that the consensus was that since two KLAB members are going to retire soon, they are recommending that Council also appoint two alternates.

Discussion followed.

Councilmember Laurie Sperry moved to appoint: Paige Almond, young adult member; Marilyn White, regular position; Lisa Keller, regular position; William McCoy, regular position; Mathew

Martin, alternate; and Eric Martin, alternate. Mayor David Baker seconded the motion. The motion passed unanimously.

Discussion and Possible Adoption of Ordinance No. 12-0337 of the City of Kenmore, Washington, Amending Section 19.35.060 of the Kenmore Municipal Code to Revise the City's Categorical Exemptions Relating to the State Environmental Policy Act, and Fixing an Effective Date - Debbie Bent, Director of Planning and Community Development, was present to provide a staff report. She, along with Senior Planner Lauri Anderson, were available to answer any questions.

Discussion followed.

Councilmember Allan Van Ness moved to table the discussion until the next regular council meeting. Mayor David Baker seconded the motion. The motion passed unanimously.

Adopt Ordinance No. 12-0338 of the City of Kenmore, Washington, Repealing Chapter 1.10 of the Kenmore Municipal Code and Adopting a New Chapter 1.10 of the Kenmore Municipal Code to Update the City's Procedures Relating to the Disclosure of Public Records, and Fixing an Effective Date - Joanne Gregory, Finance Director, was present to provide a staff report in which she reviewed that the public records disclosure procedures have not been updated since 2006. She stated that the Washington State Legislature re-codified the statutory procedures, RCW Chapter 42.56. She stated that the adoption of Ordinance No. 12-0338 would bring KMC current with state regulations and would make the creation and maintenance of a public record index unduly burdensome for the City. She was available to answer any questions.

Councilmember Bob Hensel moved to Adopt Ordinance No. 12-0338 of the City of Kenmore, Washington, Repealing Chapter 1.10 of the Kenmore Municipal Code and Adopting a New Chapter 1.10 of the Kenmore Municipal Code to Update the City's Procedures Relating to the Disclosure of Public Records, and Fixing an Effective Date. Councilmember Allan Van Ness seconded the motion. The motion passed unanimously.

Review Ordinance No. 12-0336, of the City of Kenmore, Washington, Granting a Non-Exclusive Cable Franchise with Comcast of Washington IV, Inc., and Comcast of CA/CO/Washington I Inc., and Fixing an Effective Date - Joanne Gregory, Finance Director, was present to provide a staff report in which she reviewed that state law requires that ordinances adopting franchise agreements be heard and adopted at subsequent meetings. She stated that the proposed ordinance is on the April 9th Council meeting agenda. She was available to answer any questions.

Kathy Putnam, Comcast Director of Government Affairs, was present to provide a brief overview of the proposed franchise agreement and accompanying ordinance. She was also available to answer any questions.

Discussion followed.

Discussion of a City of Kenmore Proposed Transportation Benefit District – Ron Loewen, City Engineer, was present to provide a presentation on establishing a Transportation Benefit District. He

stated that a public hearing has been scheduled for the April 16, 2012 Council meeting. He was also available to answer any questions.

Caroline Brabrook, Lochner, and Steve Lewis, Lochner, were present to answer any questions.

Discussion followed.

It was Council consensus that the consideration of establishing a TBD be moved forward to April 16th for a public hearing.

COUNCILMEMBER COMMENTS/REPORTS

Councilmember Laurie Sperry thanked Council for their support of KLAB. She briefly discussed the Library crosswalk intersection. She reviewed that she is currently a student and discussed how her studies relate to her role as a member of the Council.

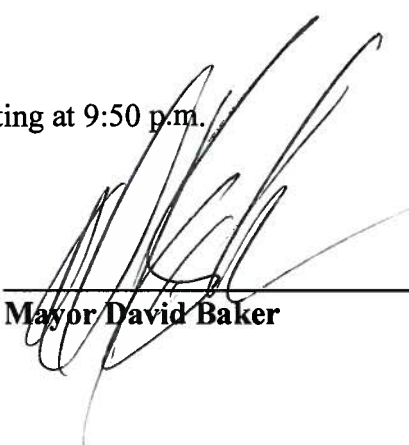
Councilmember Brent Smith stated that he would like to get the information out to the public that Comcast offers a benefit for low-income families. He requested that staff look into state regulations and report back as to whether the City should adopt their own more stringent mobile home park regulations. It was Council consensus that staff should research and report back on their findings.

Mayor David Baker stated his concerns relating to CDBG funding and noted that Section 8 is in jeopardy. He reaffirmed the importance of affordable housing.

Discussion on economic development followed.

ADJOURNMENT

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



Mayor David Baker

ATTEST:



Lynn Suskin, City Clerk