

**City of Kenmore, Washington
City Council Regular Meeting
Minutes
June 11, 2012**

CALL TO ORDER – Mayor Baker called the regular meeting to order at 7:02 p.m.

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

Councilmember Excused: Councilmember Glenn Rogers

FLAG SALUTE

Mayor Baker led the flag salute.

AGENDA APPROVAL

It was Council consensus to approve the agenda as submitted.

CITIZEN COMMENTS

Jeanette Eggerman, 6529 NE 191st St., Kenmore, and Maiella Alejandrino, 6424 NE 188th St., Kenmore, were present to announce that the 14th Annual Kenmore Art Show will be held from June 20th through June 24th. They also invited Councilmembers to a Kenmore Art Show reception on June 20th from 6:00 to 8:00 p.m.

Kenny Song, 12440 NE 155th Place, Woodinville, President and Founder of the Inglemoor Buy It Right Nutrition Club, was present to suggest a sugary drinks tax for the City and talk about the benefits of reducing sugar consumption.

Dennis Mendrey, 6410 NE 182nd St., Kenmore, was present to discuss the financial report. He was pleased that expenditures were below projected levels. He observed that a pie graph included in the report reveals how important retail businesses are to revenues. Finally, he stated that he has withdrawn himself from the Kenmore Action Network (KAN) in an effort to keep the lines of communication with the City open.

Dave Crawford, 7534 NE 175th St., Kenmore, was present to give a comparison of the taxes in Cody, Wyoming, with the City of Kenmore. He requested that Council not forget about the Swamp Creek issue. Finally, he expressed concern about the left turn lanes on SR 522.

John Hendrickson, 5919 NE 202nd Lane, Kenmore, was present to state his concerns about the City's compliance with the Public Records Act and citizens' rights to video tape or record public officials in public spaces.

Mayor Baker thanked the citizens for their interest and comments.

At this time, Mayor Baker also welcomed Representative Gerry Pollett, who was present in the audience.

CONSENT AGENDA

Councilmember Smith pulled Item II. A., “Minutes,” from the Consent Agenda for separate consideration.

Councilmember Hensel moved to approve the consent agenda as amended.

Councilmember Van Ness seconded the motion to Approve Claim Nos. 25838 - 25956 in the amount of \$577,933.03 and Electronically Transferred Payroll Funds in the Amount of \$136,327.52 for the Period Ending May 31, 2012; Receive and File the April 2012 Financial Report; and Schedule a Special Council Meeting for Thursday, June 14, 2012 at 7:00 p.m. The motion passed.

Councilmember Smith stated that in the May 14, 2012 minutes, the first item listed under “Councilmember Comments and Reports” should be attributed to himself rather than to Deputy Mayor Hensel.

Councilmember Smith moved to approve the revised May 14, 2012 minutes.

Councilmember Sperry seconded the motion. The motion passed.

BUSINESS AGENDA

Presentation by Washington Department of Ecology (DOE) on the Public Participation Plan Process for the Kenmore Industrial Park (LakePointe) – Maura O’Brien, Site Hydrologist and Site Manager for the Kenmore Industrial Site since 2009, was present to discuss the Public Participation Plan Update. Mayor Baker announced that Ms. O’Brien would take questions from citizens following her presentation. During this process, citizens were not asked to sign in or to give their names.

Ms. O’Brien stated that DOE is in the process of collecting comments from citizens regarding the Draft Public Participation Plan Update and that anyone is welcome to submit comments. She handed out summaries of frequently asked questions for Kenmore Industrial Park and Harbour Village Marina, as well as the Washington Soil Dioxin Study results. She stated that the last site hazard assessment at the Kenmore Industrial site was in the 1980s, and at that time the site was rated as “1.” However, she pointed out that the quality of sampling used in the ‘80s would be questionable today. After an extensive remedial investigation of the site, DOE found elevated levels of petroleum diesel oil and three metals, arsenic, barium and lead. Ms. O’Brien stated that no other known chemicals of concern were found, after quite an extensive sampling for a number of toxic chemicals. She noted that the City is working with a consulting company to do additional sampling and that Ecology is looking for money to do additional sampling.

Mayor Baker invited Representative Pollett to speak before the citizen question period. Representative Pollett thanked Ms. O’Brien for her briefing. He stated that he would like to see just one forum and one consolidated advisory board to deal with these issues, even if there are separate Public Participation Plans for each site.

Motion to Adopt Ordinance No. 12-0341 to Reclassify the Land Use Zoning Designation for the Property Located at 18138 73rd Avenue NE from “Public/Semi-Public” to “R-18” – Andrew Bauer, Associate Planner, was present to give a brief staff report. He was also available to answer any questions.

Associate Planner Bauer stated that this is the former Kenmore Library property, and that the Kenmore Library relocated in 2011 to a new facility on NE 181st Street. King County retains ownership of the property. The King County Library System is pursuing a Type 4 Land Use process to rezone the property for wider use, as allowed by the development standards. The Hearing Examiner's recommendation is to approve the rezone to "R-18."

Councilmember Van Ness moved to Adopt Ordinance No. 12-0341 to Reclassify the Land Use Zoning Designation for the Property Located at 18138 73rd Avenue NE from "Public/Semi-Public" to "R-18." Councilmember Hensel seconded the motion. The motion passed 6-0.

Motion to Authorize the City Manager to Execute Contract No. 12-C1033, Animal Services Interlocal Agreement 2013-2015 with King County – Nancy Ousley, Assistant City Manager, and Norm Alberg, King County Records and Licensing Division, were present to give a brief staff report. They were also available to answer any questions.

Assistant City Manager Ousley stated that on April 23, 2012, Council approved signing a nonbinding letter of intent so that a further animal services analysis could go forward, and that since that time there have been several changes, including the cities of Kirkland and Shoreline deciding to stay with the regional system. She summarized that the City's net cost for services, not including PAWS, is estimated to be around \$6,000 per year.

Councilmember Hensel moved that the City Manager be Authorized to Execute Contract No. 12-C1033, Animal Services Interlocal Agreement 2013-2015 with King County. Brent Smith seconded the motion. The motion passed 6-0.

61st Avenue NE and NE 181st Street Traffic Signal Construction Contract Award – Kris Overleese, City Engineer, and Kent Vaughan, Senior Engineer, were present to give a brief staff report. They were also available to answer any questions.

Senior Engineer Vaughan stated that on May 14, 2012, in advance of the bid opening, Council authorized the award of the 61st Avenue NE and NE 181st Street traffic signal construction contract for an amount not to exceed \$1.15 million. On May 22nd, the bid opening was held and three bids were received. The bids were comprised of three schedules, Schedule A, base bid items; Schedule B, utility items, and Schedule C, alternate design to Schedule B. The low bids for both schedule options, A plus B or A plus C, exceeded the previously authorized amount. He stated that staff recommends that the City Council authorize the City Manager or designee to award and sign the contract with Razz Construction for the traffic signal project based upon bid Schedules A plus C in the amount of \$1,190,629.76, with the discretion to award the contract based upon bid Schedules A plus B in the amount of \$1,186,835.80 if the City Manager determines that the NE 181st Street Culvert Replacement Project will be constructed this summer.

Councilmember Van Ness moved to Authorize the City Manager or Designee to Award and Sign the Contract with Razz Construction for the Traffic Signal Project Based Upon Bid Schedules A Plus C in the Amount of \$1,190,629.76, with the Discretion to Award the Contract Based Upon Bid Schedules A Plus B in the Amount of \$1,186,835.80 if the City Manager Determines That the NE 181st Street Culvert Replacement Project, SW6, Will be

Constructed This Summer . Councilmember Hensel seconded the motion. The motion passed 6-0.

CITY COUNCILMEMBER COMMENTS/REPORTS

Councilmember Hensel reported on the Eastside Transportation Partnership meeting he attended last week. He requested that the City Manager make available to Council the Puget Sound Regional Funding reports and ranking, as they show two Kenmore projects and their rankings.

Mayor Baker made a presentation, on behalf of the Council, to Councilmember Laurie Sperry for her college graduation. She received a bachelor's degree in communication with a focus on political communication. Her final project was writing a Social Media program for the Washington State Department of Transportation (WSDOT). Mayor Baker also announced that prescription medicine discount cards are now available in several locations for Kenmore residents.

STAFF REPORT

City Manager Karlinsey reminded Council and the public about the Thursday, June 14, 2012 Kenmore Village study session meeting; the Monday, June, 18, 2012 study session; and the Community Meeting regarding Northshore Summit Park to be held at City Hall on Thursday, June 21, 2012 at 7:00 p.m. He noted that a super-card mailing and door hangers were distributed to a wide radius of residents around the park.

EXECUTIVE SESSION

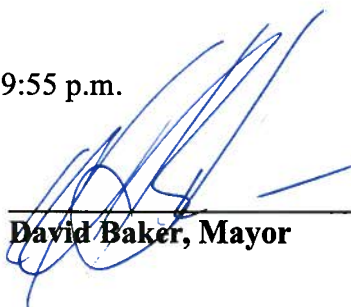
Mayor Baker adjourned the regular meeting at 8:52 p.m. to a special executive session meeting to discuss Property Disposition, pursuant to RCW 42.30.110(1)(c), and Potential Litigation and Litigation, pursuant to RCW 42.30.110(1)(i). He stated that the first executive session will last 20 to 30 minutes and that action will be taken in open session when it concludes. He also stated that a second executive session will follow, which will last approximately 30 minutes.

POSSIBLE ACTION RESULTING FROM EXECUTIVE SESSION

Councilmember Van Ness moved to adopt Resolution No. 12-202, A Resolution of the City of Kenmore, Washington, Approving a Purchase and Sale Agreement with James and Martha Donovan. Councilmember Hensel seconded the motion. The motion passed.

ADJOURNMENT

Mayor Baker adjourned the special meeting at 9:55 p.m.



David Baker, Mayor

ATTEST:



Patty Safrin, City Clerk