

**City of Kenmore, Washington
City Council Regular Meeting
Minutes
July 28, 2014**

CALL TO ORDER – The regular meeting of the Kenmore City Council was called to order by Mayor David Baker at 7:02 p.m.

Councilmembers present: Mayor David Baker and Councilmembers Brent Smith, Laurie Sperry, Milton Curtis, Nigel Herbig, Allan Van Ness and Stacey Denuski

Staff present: Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance & Administration Director; Kris Overleese, Engineering & Environmental Services Director; Debbie Bent, Community Development Director; Bryan Hampson, Development Services Director; Kent Vaughan, Senior Civil Engineer; Lauri Anderson, Senior Planner; Rod Kaseguma, City Attorney; and Patty Safrin, City Clerk

FLAG SALUTE

Mayor Baker led the flag salute.

AGENDA APPROVAL

It was Council consensus to approve the agenda as submitted.

PROCLAMATION

National Recovery Month, September 2014 – Mayor Baker read the proclamation into the record.

COMMENDATION

Mayor Baker read a Good Samaritan Commendation into the record and presented it to Tristan Warren, age 14. Tristan was present to receive the commendation, along with his mom and his brother. A member of the Northshore Fire Department was also present in support of the commendation.

CITIZEN COMMENTS

John Hendrickson, 5919 NE 202nd Lane, Kenmore, was present to state his concern about the City budget. He submitted a handout to Council.

Ken Jones, 18844 SE 42nd Street, Issaquah, was present to speak in favor of the City lifting the moratorium on recreational cannabis.

Mayor Baker thanked the citizens for their comments.

CONSENT AGENDA

Councilmember Smith moved to approve the consent agenda with a correction to the July 14, 2014 Minutes. Councilmember Sperry seconded the motion to Adopt the Minutes of the July 14, 2014 City Council Meeting with the provision that the sentence on page 2 reading, “It was Council direction to lower the speed limit on 68th Avenue NE, northbound from NE 170th Street to SR 522, to 25 miles per hour, leaving the southbound speed at 35 miles per hour” be removed from the Minutes as inaccurate; Approve Check Nos. 30304 - 30398 in the Amount of \$638,523.41 and Payroll Check No. 211521 in the Amount of \$874.00 and Electronically Transferred Payroll Funds Totaling \$74,106.90 and Electronically Transferred Property Purchase Funds in the Amount of \$645,798.51 for the Period Ending July 18, 2014; and Cancel City Council Regular Meetings for August 11, 18, and 25, 2014. The motion passed unanimously.

PUBLIC HEARING

Public Hearing to Receive Public Testimony on Options for Regulating Marijuana Businesses – Debbie Bent, Community Development Director, and Lauri Anderson, Senior Planner, were present to briefly review the two ordinances being presented for Council consideration. They were also available to answer any questions.

Mayor Baker opened the public hearing to receive public testimony on this issue at 7:23 p.m.

The following citizens spoke:

Glenn Rogers, 19823 64th Avenue NE, Kenmore, was present to state that he would like the Council to ban marijuana businesses in the City.

Don Walker, 1830 243rd Place SW, Bothell, was present to state that he would like the Council to ban marijuana businesses in the City.

Doreen Bomar, P.O. Box 47296, Seattle, was present to state that she represents a potential Initiative 502 lottery winner who may want to locate in Kenmore, and she is in favor of marijuana businesses in Kenmore.

John Hendrickson, 5919 NE 202nd Lane, Kenmore, was present to suggest that, given the difficulty of this decision, a City-wide advisory vote be conducted electronically in order to determine what citizens want.

Steve Snow, 19517 63rd Place NE, Kenmore, was present to state that in his opinion the recreational uses of marijuana are not valid in our society.

David Hardy, 7205 NE 150th Street, Kenmore, e-mailed his comments to City Hall as he was unable to attend the meeting. He stated that he is opposed to marijuana businesses in Kenmore.

As there was no further testimony, Mayor Baker closed the public hearing at 7:41 p.m.

BUSINESS AGENDA

Adopt Ordinance No. 14-0384 for Regulating Marijuana Businesses in the City OR Adopt Ordinance No. 14-0385 to Prohibit Marijuana Businesses in the City – Debbie Bent, Community Development Director, and Lauri Anderson, Senior Planner, were present to answer any additional questions from Council. Councilmember Curtis distributed a handout to Council.

Councilmember Curtis moved to table the marijuana ordinance decision for one week or until the next regular Council meeting. Councilmember Sperry seconded the motion. The motion failed 3-4, with Councilmembers Herbig, Denuski, Smith and Van Ness voting no.

Councilmember Herbig moved to Adopt Ordinance No. 14-0384 for Regulating Marijuana Businesses in the City. Councilmember Smith seconded the motion.

Councilmember Curtis moved to amend the main motion by adding a section into Ordinance No. 14-0384 to provide legal representation and indemnification to defend a claim or charge brought against any City Councilmember or City employee by the federal government as a result of the passage, implementation, administration or enforcement of this ordinance. Councilmember Van Ness seconded the motion. The amendment passed 7-0.

Councilmember Curtis moved to amend the main motion with a requirement that Ordinance No. 14-0384 not go into effect until the federal government moves marijuana off the Controlled Substances Act Schedule I list. Councilmember Sperry seconded the motion. The motion failed 3-4, with Mayor Baker and Councilmembers Denuski, Herbig and Smith voting no.

The main motion, to Adopt Ordinance No. 14-0384 for Regulating Marijuana Businesses in the City, passed 4-3, with Councilmembers Van Ness, Curtis and Sperry voting no.

Presentation and Discussion of Sno-King Watershed Council's Application for Grant Funding to the Salmon Recovery Funding Board for Squires Landing Park Restoration – Debbie Bent, Community Development Director; Eric Adman, President of the Sno-King Watershed Council; and Cleve Steward, Executive Director of the Sustainable Fisheries Foundation, were present to give a brief report. Eric Adman gave some background on the events leading up to the grant application. Cleve Steward stated that Swamp Creek is an important holding point for migrating salmon and that the park is largely degraded. This grant represents an opportunity to restore the park for salmon habitat and make it more accessible to citizens. This would be the first step in a longer process. They were also available to answer any questions.

Councilmember Sperry moved to support the Sno-King Watershed Council's Application for Grant Funding to the Salmon Recovery Funding Board for Squires Landing Park Restoration. Councilmember Van Ness seconded the motion. The motion passed 7-0.

Adopt Ordinance No. 14-0386 Amending the Capital Improvement Program (CIP) to Allocate Funds for the SR 522 West A 61st to 65th Avenue Project – Kent Vaughan, Senior Civil Engineer; Kris Overleese, Engineering & Environmental Services Director; and Joanne

Gregory, Finance & Administration Director were present to provide a PowerPoint presentation giving an overview of the SR 522 West A Project. Senior Engineer Vaughan explained that the amount of money needed to complete the project has gone up due to underestimation of costs by a previous contractor. He detailed the proposed project funding. Director Gregory showed where the extra \$1.8 million for the project could come from. As a result, some other projects had to be removed or reduced. They were also available to answer any questions.

Councilmember Smith moved to Adopt Ordinance No. 14-0386 Amending the 2013-2018 Capital Improvement Program (CIP) to Allocate Additional Funding for Capital Project T-6, the SR 522 West A (61st to 65th Avenues) Project. Councilmember Denuski seconded the motion. The motion passed 7-0.

Adopt Resolution No. 14-243, Memorial Signage Policy – Rob Karlinsey, City Manager, and Kris Overleese, Engineering & Environmental Services Director. City Manager Karlinsey summarized the Memorial Sign Policy. He noted that a few citizens who have lost loved ones recently have weighed in on the policy. They were also available to answer any questions.

Councilmember Curtis moved to Adopt Resolution No. 14-243, Memorial Signage Policy. Councilmember Van Ness seconded the motion. The motion passed 7-0.

Approve Contract No. 14-C1298 with Northshore Canoe & Kayak Club (NCKC) for Hand-Powered Watercraft Programming Services at Squires Landing Park – Rob Karlinsey, City Manager, and five members of the NCKC board were present to give a brief report. City Manager Karlinsey reviewed that the City recently purchased the Twedt property and sent out a Request for Proposals (RFP) for recreational hand-powered watercraft programming at the site. The one proposal received was from the NCKC, consisting of several organizations grouping themselves together. He detailed the highlights of the proposed agreement. They were available to answer any questions.

Councilmember Curtis moved to Approve Contract No. 14-C1298 with Northshore Canoe & Kayak Club for Hand-Powered Watercraft Programming Services at Squires Landing Park. Councilmember Denuski seconded the motion. The motion passed 7-0.

June 2014 Financial Report – Joanne Gregory, Finance & Administration Director, was present to give a brief report. She stated that in this biennium revenues have turned upwards again, after declining for several years. She stated that the Transportation Benefit District report is also included in the report, but has an error in it, which she detailed. On the expenditure side, the main area of concern is the City's legal fees. The account could potentially be around \$20,000 over budget at the end of the biennium. All other funds and departments are tracking close to or under budget currently. She was also available to answer any questions.

It was Council consensus to accept the June 2014 Financial Report as submitted.

STAFF REPORTS

St. Edward Seminary Building Update – Nancy Ousley, Assistant City Manager, and Rob Karlinsey, City Manager, were present to give a brief update. The Chief of Staff of Bastyr University was also present. Assistant City Manager Ousley distributed two handouts to

Council. She noted the City's desire to be involved in preserving the building and the recent interest by Daniels Real Estate, who are very well qualified for this project. She and City Manager Karlinsey met with the State Parks Commission at their work session in Bellingham to discuss the City's interest in partnering with them. City Manager Karlinsey stated that he was very encouraged by the reaction of the State Parks Commission. They were also available to answer any questions.

Kenmore Village Update – Rob Karlinsey, City Manager, was present to give a brief update. He stated that last week's Town Green workshop was fun, well attended and productive. He was also available to answer any questions.

CITY COUNCILMEMBER REPORTS & COMMENTS

Councilmember Sperry stated that she attended the recent Kenmore Art Show opening and enjoyed it very much. She also met the City's newest business incubator resident.

Councilmember Van Ness reported on the National League of Cities (NLC) transportation and infrastructure committee meeting, which he recently attended in St. Paul, Minnesota.

Mayor Baker reported on the NLC information and technology committee meeting, which he attended. He noted that there are two brand new pickle ball courts at Rhododendron Park. He announced that this is the last regular Council meeting until September 8th.

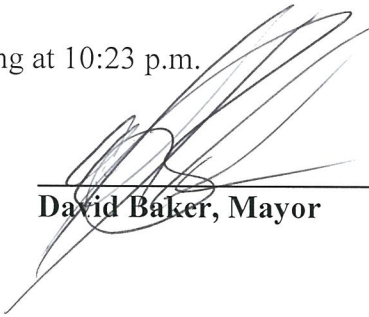
CITY COUNCILMEMBER INITIATIVES

Councilmember Smith would like to see the City move as quickly as possible to get signs eliminating some of the trailer parking at the boat launch.

It was Council consensus to have the City Manager move forward with this.

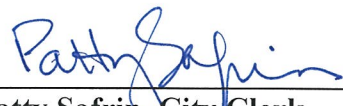
ADJOURNMENT

Mayor Baker adjourned the regular meeting at 10:23 p.m.



David Baker, Mayor

ATTEST:



Patty Safrin, City Clerk