

**City of Kenmore, Washington
City Council Regular Meeting
Minutes
December 15, 2014**

CALL TO ORDER – The regular meeting of the Kenmore City Council was called to order by Mayor David Baker at 7:00 p.m.

Councilmembers present: Mayor David Baker, Deputy Mayor Allan Van Ness and Councilmembers Brent Smith, Laurie Sperry, Milton Curtis, Nigel Herbig 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; Andrew Bauer, Associate Planner; Cliff Sether, Police Chief; 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.

CITIZEN COMMENTS

Dennis Mendrey, 6410 NE 182nd Street, Kenmore, was present to state that he supports the Planning Commission's height restriction recommendations and that he would like to get Regional Business zone status for his business property.

Carl Michelman, 18023 62nd Avenue NE, Kenmore, was present to state that granting Mr. Mendrey's property a Regional Business zone status would open up a can of worms.

Mayor Baker thanked the citizens for their comments.

CONSENT AGENDA

Councilmember Curtis moved to approve the consent agenda as submitted.

Councilmember Van Ness seconded the motion to Adopt the Minutes for the November 17 and November 24, 2014 City Council Meetings; Approve Check Nos. 31139 - 31225 Totaling \$361,818.31 and Electronically Transferred Payroll Funds in the Amount of \$67,448.24 and Payroll Check No. 6988 in the Amount of \$451.52 for the Period Ending December 5, 2015; Receive and File October 2014 Financial Report for the City of Kenmore, Washington; Adopt Resolution No. 14-251 Granting Final Plat Approval for Kimberly Place; Approve Amendment No. 4 to Contract No. 09-C780 with Alcalde & Fay for Federal Government Relations Services; Approve Amendment No. 4 to Contract No. 09-C816 with Gordon Thomas Honeywell for Government Relations Services ; Approve Amendment No. 4 to Contract No. 10-C891 with Sussman/Prejza & Company, Inc. for

Wayfinding Signage and Banner Design; Approve Amendment No. 1 to Contract No. 14-C1322 with Corey Hansen, Business Incubator Consultant; Approve Amendment No. 4 to Contract No. 11-C971 with Allison + Partners (formerly Frause Full Spectrum Communication) for Media Relations & Marketing Services; Approve Contract No. 14-C1329, Log Boom Park Hand-Powered Watercraft Concession with Holmes-It, LLC, dba WhatsUP Stand Up Paddle & Surf; and Authorize City Manager to Approve Contract No. 14-C1352, State Department of Commerce Projects for Jobs & Economic Development Grant for the Kenmore Town Green Project. The motion passed unanimously.

BUSINESS AGENDA & PUBLIC HEARING

2014 Docket Amendments: Adopt Ordinance No. 14-0393 Amending the Comprehensive Plan and Land Use Plan Map and Adopt Ordinance No. 14-0391 Amending the Zoning Code and Site Plan Review Requirement and Zoning Maps - Debbie Bent, Community Development Director was present to state that the Council has before them this evening two ordinances which would adopt the 2014 Docket work program items. She noted that the ordinances also include Council's most recent direction on height in the Waterfront Commercial zone. She was also available to answer any questions.

Councilmember Denuski moved to Adopt Ordinance No. 14-0393 Amending the Comprehensive Plan and Land Use Plan Map. Councilmember Smith seconded the motion. The motion passed 7-0.

Councilmember Herbig moved to Adopt Ordinance No. 14-0391 Amending the Zoning Code and Site Plan Review Requirement and Zoning Maps. Councilmember Curtis seconded the motion. The motion passed 7-0.

PUBLIC HEARING to Receive Public Testimony on Proposed Amendments to Kenmore Municipal Code (KMC) Chapter 18.110, Development Agreements, and Consideration of Proposed Ordinance No. 14-0392 - Debbie Bent, Community Development Director and Lauri Anderson, Senior Planner, were present to give a brief report on the proposed ordinance. Director Bent stated that the amendment being considered is essentially to allow the development agreement tool to be used in all nonresidential zones. Senior Planner Anderson provided some slides giving the background on development agreements and the process involved with them. She noted that public benefits must be provided in exchange for development agreement concessions and that some standards cannot be modified. They were also available to answer any questions.

Mayor Baker opened the public hearing to receive public testimony on this issue at 7:15 p.m.

The following citizens spoke:

Dennis Mendrey, 6410 NE 182nd Street, Kenmore, was present to state that he is no longer in favor of development agreements for community businesses.

Craig Mahany, 6501 Lake Washington Boulevard NE, Apt. C, Kirkland, was present to state that he is in favor of the proposed amendments.

Colin Radford, 3662 Fairweather Lane, Medina, was present to state that he is in favor of the proposed amendments on behalf of Kenmore Lakeview, LLC.

Carl Michelman, 18023 62nd Avenue NE, Kenmore, was present to state that the development agreement is a very good idea and he supports it for Kenmore.

As there was no further testimony, Mayor Baker closed the public hearing at 7:23 p.m.

Adopt Ordinance No. 14-0392 to Amend Kenmore Municipal Code (KMC) Chapter 18.110, Development Agreements - Debbie Bent, Community Development Director, and Lauri Anderson, Senior Planner, were present to answer any additional questions.

Councilmember Smith moved to Adopt Ordinance No. 14-0392 to Amend Kenmore Municipal Code (KMC) Chapter 18.110, Development Agreements with the understanding that staff come back by the first week of February with another amendment requiring a supermajority vote for all development agreements. Mayor Baker seconded the motion. The motion failed 0-7.

Councilmember Smith moved to have staff come back by the first week of February with another ordinance requiring a supermajority vote for all development agreements, regardless of whether or not Ordinance No. 14-0392 passes. Councilmember Herbig seconded the motion. The motion passed 6-1, with Councilmember Sperry voting no.

Councilmember Curtis moved to Adopt Ordinance No. 14-0392 to Amend Kenmore Municipal Code (KMC) Chapter 18.110, Development Agreements. Councilmember Smith seconded the motion. The motion passed 7-0.

Adopt Ordinance No. 14-0390, 2013-2014 Biennial Budget Amendment - Joanne Gregory, Finance & Administration Director, was present to state that the budget amendment being considered is in preparation for the closeout of the 2013-2014 Biennial Budget and is the fourth budget amendment that has been proposed during this biennium. She detailed the recommended amendments to the Street Fund, Swamp Creek Basin Fund, Park Impact Fee Fund, Park Capital Fund, Strategic Opportunities Fund, and the Equipment Replacement Fund. She stated that no amendments are proposed for the General Fund, as it is expected that it will close several hundred thousand dollars under budget. She was also available to answer any questions.

Deputy Mayor Van Ness moved to Adopt Ordinance No. 14-0390, 2013-2014 Biennial Budget Amendment. Councilmember Curtis seconded the motion. The motion passed 7-0.

Approve Amendment No. 4 to Contract No. 10-C862, Extending the Contract Term for Prosecution Services with the Law Office of Sarah Roberts - Rob Karlinsey, City Manager with Chief Sether and Prosecutor Sarah Roberts were present to give a brief background of the City's prosecution services. City Manager Karlinsey stated that Sarah Roberts has over 21 years of experience as a prosecuting attorney, and that she serves other cities as well. Her contract expires at the end of 2014 and staff is recommending that it be extended for an additional year with the ability for two additional one-year extensions. He noted that Attorney Roberts also employs a domestic violence advocate who provides assistance to domestic violence victims. They were also available to answer any questions.

Councilmember Curtis moved to Approve Amendment No. 4 to Contract No. 10-C862, Extending the Contract Term for Prosecution Services with the Law Office of Sarah Roberts. Mayor Baker seconded the motion. The motion passed 6-1, with Councilmember Herbig voting no.

Approve Amendment No. 3 to Contract No. 06-C537, Extending the Contract Term for Public Defender Services with Stewart MacNichols Harmell, Inc. - Rob Karlinsey, City Manager with Chief Sether and Ken Harmell, Attorney, were present to state that the public defender contract, also a part of the City's court services, will also expire at the end of this year. Staff is recommending extending that contract for an additional one year. They were also available to answer any questions. City Attorney Rod Kaseguma stated that State law requires that the City adopt standards for public defense services. The preparation of standards was delayed pending analysis of the impact and implications of relevant reports and case law. The City anticipates presenting a draft of City standards for public defense in the Spring of 2015.

Deputy Mayor Van Ness moved to Approve Amendment No. 3 to Contract No. 06-C537, Extending the Contract Term for Public Defender Services with Stewart MacNichols Harmell, Inc.. Councilmember Sperry seconded the motion. The motion passed 7-0.

Approve Amendment No. 3 to Contract No. 12-C1014, City Manager's Employment Agreement - Rod Kaseguma, City Attorney, was present to give a brief report on the status of the City Manager's employment agreement. He stated that the current amendment would grant Karlinsey a merit increase of 5% effective January 2015, based upon work plan items that the City Council developed at the beginning of 2014 and progress made toward the City Council's goals. He was also available to answer any questions.

Deputy Mayor Van Ness moved to Approve Amendment No. 3 to Contract No. 12-C1014, City Manager's Employment Agreement. Councilmember Sperry seconded the motion. The motion passed 7-0.

STAFF REPORT

Update on Planning Commission Vacancy Recruitment and 2015 Comprehensive Plan Update - Debbie Bent, Community Development Director, was present to give a brief report. She stated that there are three Planning Commission terms expiring at the end of this year. The City is currently accepting applications until December 9th. She provided a progress report on the Planning Commission's work on the 2015 Comprehensive Plan update. She was also available to answer any questions.

Request for Council Direction on Inglemoor High School Orchestra & Wind Ensemble Request – Rob Karlinsey, City Manager, was present to state that a few weeks ago the Inglemoor High School music boosters fundraising chairperson, Sarah Hayashi, requested \$5,000 from the City's Public Art Fund to help fund a trip to Carnegie Hall and Lincoln Center in April 2015 for the orchestra and wind ensemble. He was also available to answer any questions.

Councilmember Curtis moved to pay the Inglemoor High School music boosters \$2,500 for the Inglemoor High School Orchestra and Wind Ensemble to provide a public concert in

the City sometime in 2015. Mayor Baker seconded the motion. The motion failed, 3-4, with Deputy Mayor Van Ness and Councilmembers Smith, Sperry and Denuski voting no.

Councilmember Smith moved to pay the Inglemoor High School music boosters \$1,500 for the Inglemoor High School Orchestra and Wind Ensemble to provide a public concert in the City sometime in 2015. Mayor Baker seconded the motion. The motion passed 7-0.

City Manager Karlinsey wished everyone a great Christmas and a wonderful New Year.

CITY COUNCILMEMBER REPORTS & COMMENTS

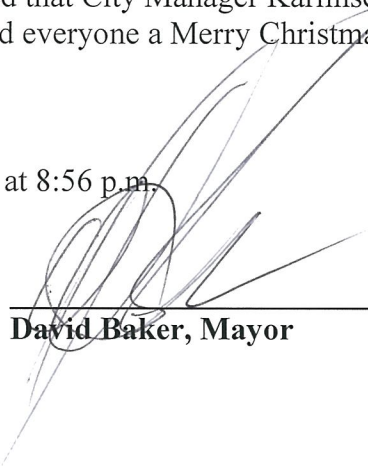
Councilmember Denuski thanked everyone who helped out with the Kenmore Elementary Secret Santa program this year and stated that they have helped 100 children to have a Christmas.

Deputy Mayor Van Ness and Councilmembers Smith, Sperry, Curtis and Herbig wished everyone happy holidays.

Mayor Baker stated that the Sound Cities Association (SCA) voted recently to lobby the State to remove the 1% property tax limit. He noted that there was a reception for the Kenmore Waterfront Activities Center board of directors on Saturday, for which there was a good turnout. The City presented a plaque thanking the board for what they have brought to Kenmore. Coach Pete Carroll was also recognized with a plaque for being instrumental in finding the Twedt property and getting things started. He stated that City Manager Karlinsey provided a really great slide show for the occasion. He wished everyone a Merry Christmas.

ADJOURNMENT

Mayor Baker adjourned the regular meeting at 8:56 p.m.



David Baker, Mayor

ATTEST:



Patty Safrin, City Clerk