

**City of Kenmore, Washington  
City Council Special & Regular Meeting  
Minutes  
January 14, 2013**

**CALL TO ORDER** - The special meeting of the Kenmore City Council was called to order by Mayor David Baker at 5:35 p.m.

**EXECUTIVE SESSION**

Mayor Baker adjourned the special meeting at 5:35 p.m. to an executive session to discuss Litigation, pursuant to RCW 42.30.110(1)(i). He stated that the executive session will last for approximately 1½ hours and that no action is anticipated when the meeting is convened to regular session.

Mayor Baker extended the executive session for 10 minutes at 7:00 p.m.

**CALL TO ORDER** – Mayor Baker called the regular meeting to order at 7:10 p.m.

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

**Staff present:** Rob Karlinsey, City Manager; Nancy Ousley, Assistant City Manager; Joanne Gregory, Finance & Administration Director; Kris Overleese, Engineering & Environmental Services Director; Debbie Bent, Director of Community Development; Jennifer Gordon, Public Works Operations Manager; Leslie Harris, Management Analyst; Lauri Anderson, Senior Planner; Rod Kaseguma, City Attorney; and Patty Safrin, City Clerk

**FLAG SALUTE**

Boy Scout Troop No. 582 led the flag salute.

**AGENDA APPROVAL**

**Deputy Mayor Hensel moved to amend the agenda by adding a Consent Agenda Item J, Approve Contract No. 12-C1037 Amendment No. 3, Purchase and Sale Agreement with James & Martha Donovan. The motion passed.**

**It was Council consensus to approve the agenda as amended.**

**CITIZEN COMMENTS**

Dennis Mendrey, 6410 NE 182<sup>nd</sup> Street, Kenmore, was present to thank the City for appointing him to the Planning Commission.

John Hendrickson, 5919 NE 202<sup>nd</sup> Lane, Kenmore, was present to state his concerns regarding tax increases.

Dave Crawford, 7534 NE 175<sup>th</sup> Street, Kenmore, was present to state his concerns regarding raised medians on SR 522. He also stated that he was impressed with the blackberries having been removed.

Bob Black, 8232 NE 166<sup>th</sup> Street, Kenmore, was present to state his concerns about the \$20 vehicle fee imposed by the Kenmore Transportation Benefit District Board.

Mayor Baker thanked the citizens for their comments.

## **CONSENT AGENDA**

**Councilmember Curtis moved to approve the consent agenda as submitted. Councilmember Rogers seconded the motion to approve the Minutes of the February 6, 2012 Special Council Meeting and March 5, 2012 Special Council Meeting; Approve Check Nos. 26906 - 26982 in the amount of \$346,049.63 and Electronically Transferred Payroll Funds Totaling \$63,731.91 for the Period Ending November 30, 2012; Approve Check Nos. 26983 - 27065 in the amount of \$891,574.30 and Electronically Transferred Payroll Funds Totaling \$63,731.91 for the Period Ending December 21, 2012; Approve Check Nos. 27066 - 27121 in the amount of \$328,636.62 and Electronically Transferred Payroll Funds Totaling \$59,642.93 for the Period Ending January 4, 2013; Receive and File November 2012 Financial Report; Approve Contract No.10-C862 Amendment No. 3 with Sarah Roberts for Prosecution Services; Contract No. 12-C1099 with Washington Fish & Wildlife (WDFW) for Restroom Maintenance; Contract No. 12-C1081 with Osborne Consulting, Inc. for Surface Water & Park Project Assistance; Contract No. 12-C1082 with Perteet, Inc. for Traffic Engineering, Transportation, and Park Project Assistance; and Contract No. 12-C1037 Amendment No. 3, Purchase and Sale Agreement with James and Martha Donovan. The motion passed unanimously.**

## **PUBLIC HEARING**

**Public Hearing to Receive Public Testimony Regarding Ordinance No. 13-0353, Extending the Moratorium on Medical Cannabis (Marijuana) Collective Gardens –** Debbie Bent, Community Development Director, noted that the reasons for adopting the ordinance are outlined in the ordinance. She was also available to answer any questions.

**Mayor Baker opened the public hearing to receive public testimony on this issue at 7:30 p.m.**

The following citizens spoke:

Dennis Mendrey, 6410 NE 182<sup>nd</sup> Street, Kenmore, was present to state that this is a very complex situation and the approach Council is taking is a good start, but it is not a black and white situation, so it needs serious thought to determine how to proceed.

**As there was no further testimony, Mayor Baker closed the public hearing at 7:32 p.m.**

## **PRESENTATION**

**King County Councilmember (Attorney General Elect) Bob Ferguson –** Mayor Baker stated that Attorney General Elect Ferguson has always been available and had the best interests of the

City at heart. Mayor Baker presented a plaque to him with thanks and appreciation for his service to the City as King County Councilmember. Mr. Ferguson stated that he really just came by to say thanks to the City, that it has been a great partnership, and that he looks forward to working with the City in his new role as Attorney General.

## **BUSINESS AGENDA**

**Adopt Ordinance No. 13-0353, Moratorium on Medical Cannabis (Marijuana) Collective Gardens** – Debbie Bent, Community Development Director, stated that staff is recommending Council adopt the ordinance. She was also available to answer any questions.

**Councilmember Sperry moved to Adopt Ordinance No. 13-0353, Moratorium on Medical Cannabis (Marijuana) Collective Gardens. Councilmember Van Ness seconded the motion. The motion passed 6-1, with Councilmember Rogers voting no.**

**Appoint Planning Commission Members and Establish Terms** - Debbie Bent, Community Development Director, stated that Council interviewed the candidates for the Planning Commission on January 8<sup>th</sup>. Mayor Baker read the appointees into the record, including alternates. He noted that Stan Isenhath has elected not to remain on the list as an alternate. The new Planning Commission members are as follows: Doug Nugent (Chair), 3-year term; Angela Kugler (Vice Chair), 3-year term; Mike Vanderlinde, 3-year term; Mark Ohrenschall, 3-year term; Doug Huxtable, 2-year term; Jim Howard, 2-year term; Dennis Mendrey, 2-year term; Robert Lane, Alternate; and Dan Ross, Alternate.

**Councilmember Rogers moved to Appoint Planning Commission Members and Establish Terms. Councilmember Van Ness seconded the motion. The motion passed unanimously.**

**2013 Annual Docket Work Program for the Planning Commission** - Debbie Bent, Community Development Director, was present to provide a brief staff report in which she stated that staff is looking for Council direction on the items to be included in the 2013 Annual Docket. By code, the Council's decision needs to be made no later than the last meeting in February. She reminded Council that at the November 26, 2012 Council meeting the Commercial Zoning Project was introduced to Council. At that time staff outlined a possible framework, a scope, several policy issues, and an approach for addressing those policy issues. That project is one of the items included on the docket. Several items will be rolled into that, including the Transit-Oriented District, which has been on hold since 2010. There are also several items related to views. Staff is recommending looking at height and views as they pertain to the Regional Business Zone rather than citywide. Staff is also recommending taking on the Parks, Recreation, and Open Space element of the Comprehensive Plan and, in conjunction with that, updating the PROS Plan, which expired in 2009. Once the PROS Plan is back up and running, the City would be eligible for grant funding. Lastly, looking at potential regulations for marijuana has been put in as a placeholder docket item with the understanding that Council would have to give direction to the Planning Commission before the Planning Commission proceeded with that item. Director Bent was also available to answer any questions.

**Mayor Baker opened the public comment period on the Comprehensive Plan Amendments at 8:08 p.m.**

The following citizens spoke:

Bob Greene, 6250 NE 182<sup>nd</sup> Street, Kenmore, was present to state that he is very happy as a citizen with what the City has accomplished on SR 522. He stated that while there are economic constraints might be a good time to consider business zoning heights because there is not a lot of pressure to build.

Elizabeth Mooney, 5934 NE 201<sup>st</sup> Street, Kenmore, was present to welcome the new Planning Commissioners and to suggest informal talks with Council, staff and citizens regarding what the City should look like in the future. She also stated her concerns regarding industrialization in the City.

**As there were no additional citizens wishing to comment, Mayor Baker closed the public comment period at 8:16 p.m.**

**Councilmember Smith moved to Approve the 2013 Annual Docket Work Program for the Planning Commission. Councilmember Van Ness seconded the motion. The motion passed unanimously.**

**2013-2014 Human Services Funding Recommendations** – Nancy Ousley, Assistant City Manager, and Leslie Harris, Management Analyst, were present to follow up on the Council’s discussion during budget deliberations about the investment the City would be making in human services during this biennium. She stated that staff is presenting a list of recommended agencies and funding amounts for Council’s approval. Since this year’s budget is approximately 71% of last year’s, staff paid special attention to agencies physically located in the City, and also the overall size of the agency budget, in making these recommendations. Management Analyst Harris summarized the recommendations. They were also available to answer any questions.

**Councilmember Sperry moved to Approve the 2013-2014 Human Services Funding Recommendations. Councilmember Curtis seconded the motion. The motion passed unanimously.**

**Kenmore Village Marketing Process Update** - Nancy Ousley, Assistant City Manager; Paul Sleeth and Billy Sleeth of Colliers International; Corey Marx of Jones Lang LaSalle; and Rod Stevens of Spinnaker Strategies were present to give a brief staff report. Rod Stevens spoke about the brokers and their roles. Paul Sleeth outlined the process and what the brokers are doing now. He stated that they expect to do a request for offers and a request for qualifications on January 17<sup>th</sup>. The brokers spoke about the market reaction to the City of Kenmore and these properties specifically, which has been very good. Rod Stevens went over the timeline for the offers, negotiations, and narrowing to a short list to bring back to Council in mid- to late February, aiming for closure of the process with a purchase and sale in April. They were also available to answer any questions.

## **CITY COUNCILMEMBER COMMENTS/REPORTS**

**It was Council consensus that Mayor Baker would continue as the 2013 Council representative for the Seashore Transportation Forum.**

**It was Council consensus that Mayor Baker, Councilmember Rogers, and Councilmember Van Ness would be the 2013 Council representatives for the Eastside Transportation Partnership (ETP).**

It was Council consensus that "Coffee with Council" would take place at 7:30 a.m. on the first Monday of the month and 8:00 a.m. on the 3rd Saturday of the month at the Espresso Works Café in Kenmore Village beginning in February on a trial basis. Councilmembers will sign up with Janice Gates, the City Manager's Executive Assistant, in order to avoid having either no councilmembers show up or a quorum of councilmembers show up. "Coffee with Council" is intended to be a very informal dialogue between councilmembers and any citizens who wish to come.

Councilmember Smith suggested that the Executive Assistant could contact all councilmembers at once by sending a text.

Councilmember Sperry indicated her interest in receiving text messages instead of voicemail.

Councilmember Van Ness gave a brief report on the Eastside Transportation Partnership (ETP) meeting he attended last week.

Councilmember Rogers praised staff for the Christmas tree lights and tree. He announced that the City qualified for a two-year audit cycle, initiated by the State due to the City's eleven consecutive years of zero findings.

Deputy Mayor Hensel stated that last Friday's legislative send-off was a big success, and he thanked staff.

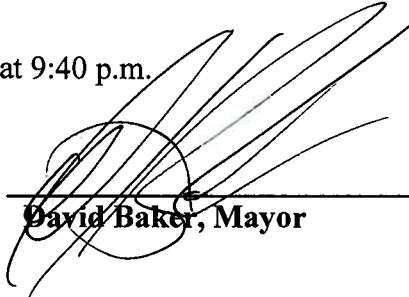
Mayor Baker gave a brief report on his trip to Washington, DC, last week. He stated that there is a chance that the City can get on the US Army Corps of Engineers work program for 2013. He also spoke with representatives of the Environmental Protection Agency (EPA) and stated that there are grants and low interest loans available for assessments and cleanup projects for City-owned property and also local businesses. They spoke with staff in Senator Murray's office and Senator Cantwell's office about a number of topics.

## **EXECUTIVE SESSION**

Mayor Baker adjourned the regular meeting at 9:15 p.m. to a special meeting executive session to discuss Pending Litigation and Potential Litigation, pursuant to RCW 42.30.110(1)(i). He stated that executive session will last for approximately 25 minutes and no action is anticipated when the meeting reconvenes.

## **ADJOURNMENT**

Mayor Baker adjourned the special meeting at 9:40 p.m.



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David Baker, Mayor

**ATTEST:**



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Patty Safrin, City Clerk