

**City of Kenmore, Washington
City Council Special & Regular Meeting
Minutes
June 24, 2013**

CALL TO ORDER - The special meeting of the Kenmore City Council was called to order by Deputy Mayor Hensel at 6:30 p.m.

EXECUTIVE SESSION

Deputy Mayor Hensel recessed the special meeting at 6:30 p.m. to an executive session to discuss Potential Litigation, pursuant to RCW 42.30.110(1)(i). He stated that the executive session will last for approximately 30 minutes and that action is anticipated when the meeting is reconvened.

POSSIBLE ACTION RESULTING FROM EXECUTIVE SESSION

Councilmember Curtis moved to adopt Ordinance No. 13-0362, an interim ordinance of the City of Kenmore, Washington, adopting a six-month moratorium on the acceptance and filling of applications for and the licensing, establishment, location, operation, maintenance, and continuation of marijuana businesses and marijuana operations under State Initiative No. 502; setting a date for a public hearing on the moratorium; providing for severability; declaring an emergency; and establishing an effective date. Councilmember Van Ness seconded the motion. The motion passed 5-0.

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

Councilmembers present: Deputy Mayor Bob Hensel, and Councilmembers Brent Smith, Allan Van Ness, Milton Curtis, and Glenn Rogers

Councilmembers excused: Mayor David Baker and Councilmember Laurie Sperry

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

FLAG SALUTE

Deputy Mayor Hensel led the flag salute.

AGENDA APPROVAL

It was Council consensus to approve the agenda as submitted.

CITIZEN COMMENTS

Dave Crawford, 7534 NE 175th Street, Kenmore, was present to thank the City Manager for his efforts in getting the 68th Street underpass ramp handrail repaired. He also stated his concerns regarding City finances. He submitted two handouts to Council.

Patrick O'Brien, 6330 NE 181st Street, Kenmore, was present to read from a handout regarding the Kenmore Industrial Park. He submitted the handout to Council.

John Hendrickson, 5919 NE 202nd Lane, Kenmore, was present to state his concerns with the Kenmore Reporter article regarding the sale of Kenmore Village.

Ken Smith, 15816 70th Avenue NE, Kenmore, was present to state his concerns regarding affordable housing in Kenmore, dioxins, and the Business Incubator.

Deputy Mayor Hensel thanked the citizens for their comments.

CONSENT AGENDA

Councilmember Van Ness moved to approve the consent agenda as submitted. Deputy Mayor Hensel seconded the motion to Adopt the Minutes of the May 28, 2013 Regular City Council Meeting and Approve Check Nos. 27953 – 28011 in the Amount of \$192,274.37 and Electronically Transferred Payroll Funds Totaling \$64,446.89 for the Period Ending June 14, 2013. The motion passed unanimously.

BUSINESS AGENDA

Adoption of Ordinance No. 13-0357, SR 522 West A Construction Project Condemnation – Kris Overleese, Engineering & Environmental Services Director, and Steve Reinhart, Project Manager with Universal Field Services, were present to give a brief PowerPoint presentation about the SR 522 West A construction project. They were also available to answer any questions. Director Overleese stated that meeting with property owners is one of the most important parts of the process, and the team has met with all but one. She explained that the ordinance is a tool to be used only as a last resort, and even then negotiations would continue. In addition, the City would immediately work to get into mediation.

▪ Public Hearing Regarding Ordinance No. 13-0357

Deputy Mayor Hensel opened the public hearing to receive comments on this issue at 7:21 p.m.

The following citizens spoke:

Steve Lee, 1167 SE 58th Street, Seattle, was present representing the Tai Ho Restaurant at 6312 Bothell Way NE in Kenmore. He stated his concerns regarding the long-term effects of the easement on the business.

Dave Crawford, 7534 NE 175th Street, Kenmore, was present to state his concerns.

Patrick O'Brien, 6330 NE 181st Street, Kenmore, was present to state his concerns regarding business owners not being involved in the design process.

As there was no further testimony, Deputy Mayor Hensel closed the public hearing at 7:48 p.m.

Director Overleese and Project Manager Reinhart were available to answer additional questions.

Councilmember Rogers moved to Adopt Ordinance No. 13-0357, SR 522 West A Construction Project Condemnation. Councilmember Curtis seconded the motion. The motion passed 5-0.

Adoption of Ordinance No. 13-0361, Extending Medical Marijuana Moratorium –Lauri Anderson, Senior Planner, was present to give a brief staff report. She was also available to answer any questions.

▪ **Public Hearing Regarding Ordinance No. 13-0361**

Deputy Mayor Hensel opened the public hearing to receive comments on this issue at 8:05 p.m.

The following citizens spoke:

Patrick O'Brien, 6330 NE 181st Street, Kenmore, was present to state his concerns regarding enforcement of the ordinance.

Elizabeth Mooney, 5934 NE 203rd Street, Kenmore, was present to comment on the ordinance and to suggest educating the public.

As there was no further testimony, Deputy Mayor Hensel closed the public hearing at 8:12 p.m.

City Attorney Rod Kaseguma clarified some of the misstatements made by Patrick O'Brien in his testimony.

Senior Planner Anderson was available to answer additional questions.

Councilmember Van Ness moved to Adopt Ordinance No. 13-0361, Extending Medical Marijuana Moratorium. Councilmember Curtis seconded the motion. The motion passed 5-0.

Adoption of Ordinance No. 13-0363, Development Regulations Amendments – Debbie Bent, Community Development Director, was present to give a brief staff report, detailing the changes being proposed and the reasons for the proposed changes. She noted that these amendments will only affect one property in Kenmore, the Kenmore Village upper parcel. She was also available to answer any questions.

▪ **Public Hearing Regarding Ordinance No. 13-0363**

Deputy Mayor Hensel opened the public hearing to receive comments on this issue at 8:26 p.m.

The following citizens spoke:

John Hendrickson, 5919 NE 202nd Lane, Kenmore, was present to suggest that the City should have King County review and agree to these code changes before passing the ordinance.

Ken Smith, 15816 70th Avenue NE, Kenmore, was present to state his concerns regarding the affordability of housing under the proposed amendments.

Patrick O'Brien, 6330 NE 181st Street, Kenmore, was present to state his concerns regarding not being able to follow what changes were made to the current code.

As there was no further testimony, Deputy Mayor Hensel closed the public hearing at 8:37 p.m.

Director Bent was available to answer additional questions.

Councilmember Rogers moved to Adopt Ordinance No. 13-0363, Development Regulations Amendments. Councilmember Van Ness seconded the motion. The motion passed 4-1, with Deputy Mayor Hensel voting no.

Adoption of Resolution No. 13-219, Fee Schedule Amendments – Bryan Hampson, Development Services Director, was present to give a brief staff report, in which he gave background and information on the resolution as well as information about the current status of the business registration program. He was also available to answer any questions.

Councilmember Curtis moved to Adopt Resolution No. 13-219, Fee Schedule Amendments. Councilmember Sperry seconded the motion. The motion passed 5-0.

STAFF REPORT

Assistant City Manager Nancy Ousley announced a correction regarding the Thursday, July 11 Sediment Study meeting. She stated that there will be an open house from 5:30 to 7:00 p.m., followed by presentations and questions from 7:00 to 8:30 p.m.

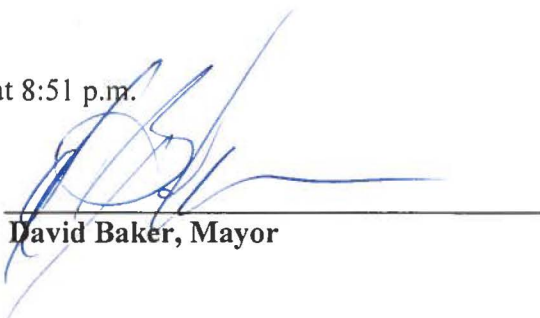
CITY COUNCILMEMBER COMMENTS/REPORTS

Councilmember Curtis stated that Evergreen Hospital is the medical facility that is interested in having a location here in Kenmore Village.

Deputy Mayor Hensel stated that he will be at Bastyr University on Thursday for the opening of the Kenmore Art Show. He will present awards, and there will be food and music.

ADJOURNMENT

Deputy Mayor Hensel adjourned the meeting at 8:51 p.m.



David Baker, Mayor

ATTEST:



Patty Safrin, City Clerk