City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, March 18, 2024

These minutes are created to capture Council action. This is not a verbatim transcript. Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O'Cain
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Valerie Sasson
Councilmember Jon Culver
Councilmember Nathan Loutsis

Staff: Deputy City Manager Stephanie Lucash
City Attorney Dawn Reitan
Deputy City Clerk Michelle Kang
Co-Clerk Brian Randall
Finance and Administration Director Melinda Merrell
Public Records Officer Teresa McAllister
Public Works Operations Director Jennifer Gordon
Development Services Director Samantha Loyuk
Community Development Director Debbie Bent – Virtual
Principal Planner Todd Hall

Speaking Guests: Dwight Thompson, Planning Commission Chair
Tracy Banaszynski, Planning Commissioner
Saad Qadri, Planning Commissioner
David Dorrian, Planning Commissioner
Chris Olson, Planning Commissioner
Derek Wyckoff, Planning Commissioner

Public Comments Speaking Guests:
Nathan MacDonald, Kenmore Resident
Carl Michelman, Brier Resident / Kenmore Business Owner

CALL SPECIAL MEETING TO ORDER
Mayor Herbig called the special meeting to order at 6:00 PM.

EXECUTIVE SESSION
Confidential Session of the Council – Pursuant to RCW 42.30.110(1)(i), the City Council entered an executive session to discuss potential litigation. This executive session was slated to last approximately one hour, until 7:00 PM. No final action followed directly after the executive session.

ADJOURN SPECIAL MEETING
Mayor Herbig adjourned the special meeting at approximately 7:01 PM.

CALL REGULAR MEETING TO ORDER
Mayor Herbig called the regular meeting to order at 7:01 PM.

LAND ACKNOWLEDGEMENT
Mayor Herbig read the Land Acknowledgement Honoring First Peoples.

FLAG SALUTE
Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

MOTION: Councilmember Marshall moved to approve the agenda as presented. Councilmember Loutsis seconded the motion.

AMENDMENT: Councilmember Srebnik moved to add a motion to approve the City's participation in the Johnson & Johnson opioid settlement with the State of Washington and authorize City Manager or designee to execute the necessary Settlement Participation form and take all steps necessary for the City to participate in the settlement. Deputy Mayor O'Cain seconded the motion.

MAIN MOTION: Councilmember Marshall moved to approve the agenda with the additional motion to the consent agenda. Councilmember Loutsis seconded the motion.
VOTE: Approved by UNANIMOUS CONSENT

WHERE'S THE FUN?
Deputy City Manager Stephanie Lucash highlighted the Love Where You Live Community Workshops, which concluded last week. The four community workshops took place to gather community input of what they wanted to see for the future of Kenmore's Downtown and Lakepointe.

PUBLIC COMMENTS

The City Council took comments from the public.
Timestamped link here:
https://youtu.be/GdeMPrgHUyw?si=c04qk99hUGMAwcA6&t=3902

CONSENT AGENDA

A. Approve the City Council Joint Special Meeting with Northshore School District Board Minutes from February 5, 2024.
City Council Joint Special Meeting with NSD Board Minutes from February 5, 2024

B. Approve the City Council Special and Regular Meeting Minutes from February 26, 2024.
City Council Special and Regular Meeting Minutes from February 26, 2024 (uploaded 3/15)

C. Approve the City Council Special Meeting Minutes from March 4, 2024.
City Council Special Meeting Minutes from March 4, 2024

D. Approve Total Check #s 53878 through 53971 totaling $515,974.72 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 2/23/2024 in the amount totaling $239,567.68, ACH Payment #s 1545 through 1561 totaling $29,896.91, and Payroll Check #10253 in the amount of $1,249.82.
Voucher Certification and Approval 2/17/2024 - 3/1/2024

E. Adopt Ordinance No. 24-0603, updating the Non-Exclusive Franchise Agreement with Comcast Cable Communications Management, LLC.
Agenda Bill - Comcast Franchise
Attachment A - Proposed Ordinance No. 24-0603

F. Adopt Resolution No. 24-412, adopting the City of Kenmore 2022-2026 Comprehensive Emergency Management Plan (CEMP).
Agenda Bill - Comprehensive Emergency Management Plan (CEMP)
Attachment 1 - Resolution No. 24-412 Adoption of Comprehensive Emergency Management Plan (CEMP)
Attachment 2- City of Kenmore CEMP 2022-2026
Attachment 3 - CEMP Promulgation Letter
Attachment 4 - City of Kenmore CEMP Completed Review

G. Approve a contract contingency increase of $177,181 for an overall contract amount of $2,089,888 and authorize the City Manager to execute change orders to Contract No. 23-C2893 with RRJ Company, LLC for the 2023 Pavement Overlay and Sidewalk Repair Project.

Agenda Bill - Contract No. 23-C2893, Contract Contingency Increase and Change Orders

H. Authorize the City Manager to execute Contract No. 24-C3019 with EarthCorps for Swamp Creek restoration work.
Agenda Bill - Contract No. 24-C3019
Attachment 1 - Contract No. 24-C3019 Swamp Creek Watershed Restoration Agreement

I. Authorize the City Manager to use $1,125.60 in City funds for the payment of permit fees related to the Camp United We Stand temporary homelessness encampment permit application.
Agenda Bill - Camp United We Stand Permit Fees
Attachment 1 - Fee Waiver Request Letter
Attachment 2 - Permit TMP23-0869 Receipt

J. Approve the City's participation in the Johnson & Johnson opioid settlement with the State of Washington and authorize City Manager or designee to execute the necessary Settlement Participation form and take all steps necessary for the City to participate in the settlement. *(Added during the Agenda Approval above)*

MOTION: Councilmember Loutsis moved to approve the amended consent agenda outlined above (addition of Item J). Councilmember Culver seconded the motion.
VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

PRESENTATIONS

A. Accountant Brian Randall was recognized by Staff and City Council for his 18 years of service to Kenmore.

B. Public Records Requests Update, presented by Public Records Officer Teresa McAllister and Deputy City Clerk Michelle Kang
Presentation

Public Records Officer Teresa McAllister and Deputy City Clerk Michelle Kang presented on the 2023 Public Records Request Update. The presentation included a review of the Public Records Act, the process of a public records request, and data from 2023 about Kenmore's public records requests.

PUBLIC HEARING

Temporary Use Permit No. TMP24-0081, to allow interim temporary public works shop/yard, a construction and trade use, to continue through 2024, presented by Public Works Operations Director Jennifer Gordon and Development Director Samantha Loyuk, *for public hearing*

Agenda Bill - Temporary Use Permit
Exhibit A - Renewal Narrative
Exhibit B - Renewal Application
Exhibit C - Site Plan
Exhibit D - Site Photos

Development Director Samantha Loyuk and Public Works Operations Director Jennifer Gordon informed the Council about the temporary use permit no. TMP24-0081. The property located at 6532 NE Bothell Way is currently being used for the public works workshop. The initial plan was for the workshop to move, but now with this proposed temporary use permit, the workshop will remain in the location until the new location is ready, the beginning of 2025 at the earliest.

The Council had no questions or comments.

Mayor Herbig opened the Public Hearing at approximately 7:32 PM.
No individuals provided public testimony during the public hearing.
Timestamped link here:
https://youtu.be/GdeMPrgHUyw?si=rybAllOmnPR761AI&t=5559
Mayor Herbig closed the Public Hearing at approximately 7:33 PM.

BUSINESS AGENDA

A. Temporary Use Permit No. TMP24-0081, to allow interim temporary public works shop/yard, a construction and trade use, to continue through 2024, presented by Public Works Operations Director Jennifer Gordon and Development Director Samantha Loyuk, *for public hearing*
   Agenda Bill - Temporary Use Permit
   Exhibit A - Renewal Narrative
   Exhibit B - Renewal Application
   Exhibit C - Site Plan
   Exhibit D - Site Photos

Staff provided no additional information. The Council had no questions or comments.

MOTION: Councilmember Loutsis moved to approve Temporary Use Permit No. TMP24-0081. Mayor Herbig seconded the motion.
VOTE: 7 Yes–Loutsis, Culver, Srebnik, Marshall, Sasson, O'Cain, Herbig; 0 No; 0 Abstain.
MOTION PASSES

B. Planning Commission's Recommendations for Comprehensive Plan Amendments - Economic Development Element, presented by Community Development Director

Debbie Bent, Principal Planner Todd Hall, and Planning Commissioners, *for discussion*
Agenda Bill - Economic Development Element
Exhibit A - Draft Economic Development Element
Exhibit B - Summary of Proposed Amendments
Exhibit C - SEPA Determination
Presentation

Principal Planner Todd Hall presented on the Economic Development Element of the Comprehensive Plan Amendments that Planning Commission recently reviewed for Council. Planning Commissioners emphasized on different topics of the Economic Development Element such as interactions of systems such as environment, healthcare access, affordable housing, and sustainability as the drivers of future economic growth; clean light manufacturing; current and potential commercial use space, how the City can support existing and new businesses; and Kenmore's income strata.

Councilmembers provided questions and comments. Staff will return at a later Council meeting to discuss the Economic Development Element further.

STAFF REPORT

Deputy City Manager Stephanie Lucash read a statement written by City Manager Rob Karlinsey and Engineering Director John Vicente, providing an update on the 193rd Slip Lane Closure.

COUNCILMEMBER REPORTS & COMMENTS

EXECUTIVE SESSION

Confidential Session of the Council – Pursuant to RCW 42.30.110(1)(i), the City Council entered an executive session to discuss potential litigation. This executive session was slated to last approximately 20 minutes. No final action took place.

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 9:10 PM.

Nigel Herbig (Apr 9, 2024 12:37 PDT)

Nigel Herbig, Mayor

Michelle Kang (Apr 9, 2024 11:28 PDT)

Michelle Kang, Deputy City Clerk

City Council Special and Regular Meeting Minutes from March 18, 2024

Final Audit Report 2024-04-09

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