

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
February 14, 2022**

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
Councilmember David Baker
Councilmember Joe Marshall
Councilmember Debra Srebnik
Councilmember Corina Pfeil
Councilmember Angela Kugler
Deputy Mayor Melanie O'Cain

Staff:

City Manager Rob Karlinsey
Assistant City Manager Nancy Ousley
Assistant City Manager/ARPA Administrator Stephanie Lucash
City Clerk Anastasiya Warhol
City Attorney Dawn Reitan
Community Development Director Debbie Bent
Development Services Director Bryan Hampson
Leonora Palaña, Human Resources Manager
Permit Coordinator Tela Gardner
Jennifer Gordon, Public Works Operations Manager

Speaking Guests:

Jon Culver, Kenmore Resident
John Peeples, Kenmore Resident
Randy Banneker, Seattle King County Realtors
David Morton, Redmond Resident
Lisa A, Kenmore Resident
Monique Gallant, Kenmore Resident
Dan Troyan, Kenmore Resident
Linda Mitchell, Mary's Place
Janet Hays, Kenmore Resident
Stacey Valenzuela, Kenmore Resident
Edmund Witter, Housing Justice Project
Katie Wilson, Transit Riders Union
Jim Henderson, Rental Housing Association of Washington

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the Special Meeting to order at 6:30 pm.

EXECUTIVE SESSION

Pursuant to RCW 42.30.110(1)(i), The City Council will enter an executive session to discuss pending or potential litigation. The session is expected to last 30 minutes. There was no action taken.

ADJORN SPECIAL MEETING

The Special Meeting was adjourned at 7 p.m.

CALL REGULAR MEETING TO ORDER – 7PM

FLAG SALUTE

The Mayor led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PUBLIC COMMENT

The Council took comments from the public from approximately 7:33 pm to 8:06pm.

Timestamped link included here: <https://youtu.be/mE6TWVKPTzU?t=2009>

CONSENT AGENDA

- A. Approve Minutes:
[City Council January 10, 2022, Regular Meeting Minutes](#)
[City Council January 24, 2022, Special and Regular Meeting Minutes](#)
- B. Approve Total Check #s 48843 through 48915 totaling \$1,228,925.79 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 1/14/22 in the amount totaling \$191,735.55 and an ACH Payment to Thomco Construction in the amount of \$133,987.84
[Voucher Approval Report Dated 1/14/22](#)
- C. Approve Total Check #s 48916 through 48937 totaling \$586,335.16.
[Voucher Approval Report Dated 1/22/22](#)
- D. Approve Resolution No. 22-380, Designating Certain Expenditures for Reimbursement from Proceeds of Tax-Exempt Obligations Issued by the City or by the State under its local Program for Acquisition, Construction, Improvement, and Equipping of Property, the Maximum Principal Amount of Reimbursement Bonds set at \$2,900,000
[Agenda Bill and Resolution No. 22-380 - Designating Expenditures for Reimbursement from Proceeds of Tax- Exempt Obligations](#)
- E. Approve Resolution No. 22-376 Granting Final Plat Approval for Plat of Shannon Ridge
[Agenda Bill - Resolution No. 22-376](#)
[Exhibit 1 - Vicinity Map](#)
[Exhibit 2 - Shannon Ridge Hearing Examiner's Decision](#)
[Resolution 22-276 Shannon Ridge](#)
[Exhibit A - FLP Map](#)
- F. Authorize the City Manager to execute agreement 22-C2779 in an amount not to exceed \$150,000 for stormwater system cleaning, vector services and pipe inspection

[Agenda Bill - Stormwater System Maintenance Vactor Contract](#)

G. Receive and File November 2021 Financial Report.

[November 2021 Financial Report](#)

H. Cancel the Tuesday, February 22, 2022, Regular Meeting.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

PUBLIC HEARING

A. **Public Hearing Regarding Ordinance 22-0543 Adopting Six-Month Interim Regulations for the Development within the Transit Oriented Development (TOD) District Overlay, presented by Community Development Director Debbie Bent**

[Agenda Bill - Ordinance No. 22-0543 Interim TOD Regulations](#)
[Ordinance No. 22-0543 - Interim TOD Regulations](#)
[TOD Interim Regulation](#)

Community Development Director Debbie Bent explained that A. Public Hearing is scheduled today to receive public testimony justifying the imposition of interim regulations for the Transit Oriented Development (TOD) District and repeal of the six-month moratorium (due to expire 2/16/22) for development with the TOD District. Staff recommends that following conclusion of the hearing and council discussion, Council adopts a motion repealing the moratorium and adopting interim regulations (Ordinance 22-0543, see Attachments #1 and #2) with immediate effect,

Mayor Herbig opened the Public Hearing at 7:39 p.m. One person gave testimony on the subject: <https://youtu.be/mE6TWVKPTzU?t=4155> Mayor Herbig closed the Public Hearing at 7:43 p.m.

A. **Ordinance No. 22-0543 Repealing the Six-Month Moratorium and Establishing Interim Regulations for a six-month period for Development within the Transit Oriented Development (TOD) District Overlay Area, presented by Community Development Director Debbie Bent, for Discussion and Adoption**

[Agenda Bill - Ordinance No. 22-0543 Interim TOD Regulations](#)
[Ordinance No. 22-0543 Interim TOD Regulations](#)
[TOD Interim Regulation](#)

MOTION: Councilmember Pfeil moved to amend language in Exhibit A (TOD Interim Regulations – Chapter 18.29), amending 18.29.030 subsection C (3) to read at least 25% instead of 10 %. Councilmember Baker seconded the motion.

VOTE: 7 For, 0 Against, 0 Abstain. MOTION CARRIED

MOTION: Councilmember Pfeil moved to Motion to adopt amended Ordinance 22-0543 repealing the six-month moratorium (Ordinance 21-0533 add 21-0535) and establishing interim regulations for a six-month period for development within the Transit Oriented Development (TOD) District Overlay Area. Councilmember Baker seconded the motion.

VOTE: 7 For, 0 Against, 0 Abstain. MOTION CARRIED

- B. **Residential Renter Protection Regulations, presented by Community Development Director Debbie Bent, *for Discussion and Direction***
Representatives of landlord and tenant groups have also been invited to be part of the discussion.

[Agenda Bill - Residential Renter Protections - Revised](#)

[Staff Memorandum - Renter Protection Memorandum - 2022 Council Retreat](#)

[Model Ordinance from the Transit Riders Union](#)

[King County Ordinance 19311](#)

[Seattle Ordinance 126451](#)

[Renter Protections Summary Table - Revised](#)

[Staff PowerPoint Presentation](#)

Community Development Director Debbie Bent introduced the City Attorney and guests Katie Wilson from the Transit Riders Union, Edmund Witter of the Housing Justice Project, and Jim Henderson, a lobbyist for Rental Housing Association of Washington. The City Attorney reviewed the current residential landlord tenant act laws. Katie Wilson and Edmund Witter provided an overview of a draft renter protection ordinance. The Council revisited current City renter protection regulations and offered suggestions for changing individual elements and components. Staff agreed to bring the topic back for future discussion or action.

AGENDA CHANGE: The Council agreed to move items C & D to a future meeting:

C. Ordinance No. 22-0544, Providing Development Fee Discount Options for Lower-Income Homeowners, Amending Section 20.05.050 of the Kenmore Municipal Code, presented by Permit Coordinator Tela Gardner, and Development Services Director Bryan Hampson, *for Discussion and Adoption*

D. Ordinance No. 22-0542, Adopting the Kenmore Automated Traffic Photo Enforcement Program (KAPE), presented by Traffic Engineer Tobin Bennet-Gold, *for Adoption*

- E. **ARPA Business Assistance Proposal for Urgent Needs, presented by Assistant City Manager Nancy Ousley, and Assistant City Manager/ARPA Administrator Stephanie Lucash, *for Discussion and Action***

[Agenda Bill - 14 Feb 2022 ARPA Urgent Business Assistance](#)

Assistant City Manager Nancy Ousley explained that City staff have received a limited number of requests from local brick and mortar businesses in urgent need of assistance to continue operations. The ongoing effects of the pandemic have taken a toll on local businesses in a variety of business sectors. Though the business assistance is under consideration, funds are not likely to be available before April 2022 following the analysis of public comment on potential uses for the City's American Rescue Plan Act (ARPA) funds.

The Council expressed a need to allocate more than \$25,000 for urgent business assistance.

MOTION: Councilmember Pfeil moved to allocate \$75,000 for ARPA Business Assistance for Urgent Needs, distribution in allocations of \$10,000 - \$15,000. Councilmember Kugler seconded the motion.

VOTE: 7 For, 0 Against, 0 Abstain. MOTION CARRIED

F. Personnel Policy Amendments, presented by Human Resources Manager Leonora Palaña and Public Works Operations Manager Jennifer Gordon, for Adoption

[Agenda Bill - Resolution No. 22-377 Personnel Policy Amendments](#)
[Resolution No. 22-377 Adopting Changes to the Personnel Policy](#)

Human Resources Manager Leonora Palaña and Public Works Operations Manager Jennifer Gordon outlined the proposed changes to the Personnel Policy related to the Public Works Operations Division staff. A summary of the proposed changes are as follows:

- Stand-by Pay increase from \$45.00 per day to \$55.00 per day;
- Creating a premium for Emergency Stand-by pay at \$60.00 per day; In the rare case of an emergency disaster, any employee would be eligible for emergency stand-by pay;
- Including holidays as hours worked when calculating overtime hours. This change will affect all non-FLSA exempt employees;
- Including holidays and vacation days as hours worked when calculating hours during emergency callout (including inclement weather) and other emergencies; and
- Increasing the annual clothing and boot allowance and issuing field staff uniforms with the City logo.

MOTION: Councilmember Baker moved to Approve Resolution 22-377 to Amend the Personnel Policies. Councilmember Kugler seconded the motion.

VOTE: 7 For, 0 Against, 0 Abstain. MOTION CARRIED

STAFF REPORTS

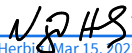
City Manager Rob Karlinsey explained that the City has not been able to set a date yet for a May/June retreat; timely response to the availability polls was requested.

EXECUTIVE SESSION: 11:15 pm

- A. Pursuant to RCW 42.30.110(1)(b), the City Council will enter an executive session to consider real estate acquisition. The session lasted approximately 20 minutes. No action was taken.

ADJOURNMENT

The Council concluded the executive session and Mayor Herbig adjourned the meeting at 11:38 p.m.


Nigel Herbig (Mar 15, 2022 12:13 PDT)

Nigel Herbig, Mayor

ATTEST:


Anastasiya Warhol (Mar 15, 2022 14:09 PDT)

Anastasiya Warhol, City Clerk

City Council February 14 2022 Special and Regular Meeting Minutes

Final Audit Report

2022-03-15

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