

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
February 28, 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:

Acting 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
Traffic Engineer Tobin Bennett-Gold

Speaking Guests:

Nathan Phillips, Northshore Senior Center
Pasha Mohajerjasbi, Northshore Senior Center
Paul Brodeur, King County Metro Transit
Chris Arkills, King County Metro Transit
Stephanie Lizza, EvergreenHealth
Tim McLaughlin, EvergreenHealth
Carmin Dalziel, Northshore Schools Foundation
Heather Erickson, Northshore Schools Foundation
Patrick O'Brien, Kenmore Resident
Elizabeth Mooney, Kenmore Resident
David Morton, Redmond Resident
Stacey Valenzuela, Kenmore Resident
Kevin Merriman, MainStreet Property Group
Kim Faust, MainStreet Property Group

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the Special Meeting to order at 6:00 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 and pursuant to RCW 42.30.110(1)(b), the City Council will also consider real estate acquisition. The session is scheduled to conclude at 6:59PM.

POSSIBLE ACTION FOLLOWING EXECUTIVE SESSION

MOTION: Councilmember Baker moved to authorize the City Manager or the City Manager's designee to take all actions necessary to close the purchase of the Cozy Inn Tavern Property located at 6215 NE Bothell Way, Kenmore, Washington pursuant to the Real Estate Purchase and Sale Agreement dated February 4, 2022 and approve the payment of the purchase price of \$650,000.00, together with all ordinary closing costs, with such closing documents subject to legal review. Councilmember Pfeil seconded the motion.

VOTE: 5 For, 2 Against, 0 Abstain. MOTION CARRIED.

ADJORN SPECIAL MEETING

The Special Meeting was adjourned at 7:02 p.m.

CALL REGULAR MEETING TO ORDER – 7:03 PM

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

MOTION: Councilmember Pfeil moved to amend the agenda to add an Executive Session following the flag salute Pursuant to RCW 42.30.110(1)(i) to discuss pending or potential litigation and pursuant to RCW 42.30.110(1)(b), to consider real estate acquisition. Councilmember Marshall seconded the motion.

VOTE: MOTION CARRIED by UNANIMOUS CONSENT.

EXECUTIVE SESSION

Pursuant to RCW 42.30.110(1)(i), The City Council entered an executive session to discuss pending or potential litigation and pursuant to RCW 42.30.110(1)(b), the City Council will also consider real estate acquisition. The Council announced that the session will conclude at approximately 7:25 pm. At 7:25 pm, the Mayor announced that the Council has extended the Executive Session, to conclude at 7:40pm. There was no action resulting from the executive session.

PROCLAMATIONS

Mayor Herbig proclaimed March 2022 as Women's History Month and read the proclamation to commemorate the action.

[Women's History Month Proclamation](#)

Mayor Herbig proclaimed March 9, 2022, as EvergreenHealth Day in celebration of 50 years of service to the community. Community Engagement Director Stephanie Lizza and Board Chair Tim McLaughlin of EvergreenHealth accepted the proclamation.

[Evergreen Health Proclamation](#)

PRESENTATION

Nathan Phillips, CEO, of the Northshore Senior Center highlighted the services offered by the Center. He also introduced Pasha Mohajerjasbi who updated the Council on recent offerings and events at the Northshore Senior Center.

Paul Brodeur, Government Relations Manager with the King County Metro Marine Division and Chris Arkills, the Marine Division Director of King County Metro Transit Department gave a brief King County Water Taxi update to the City Council.

[Marine Proviso - Kenmore Council Briefing](#)

[Preliminary Water Taxi Expansion Progress Report](#)

PUBLIC COMMENT

The Council took comments from the public from approximately 8:05 pm to 8:22 pm.

Timestamped link included here: https://youtu.be/Q1h0K_7rHJ8?t=7515

CONSENT AGENDA

- A. Approve Total Check #s 48938 through 49036 totaling \$693,539.94 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 1/28/22 in the amount totaling \$187,718.77, ACH Payment to KBA Inc. in the amount of \$91,843.88, ACH Payment to Road Construction NR in the amount of \$178,789.46, and ACH Payment to US Bank Purchase Cards in the amount of \$13,159.57.

[Voucher Approval Report Dated 2/2/2022](#)

- B. Ratify Contract No. 21-C2757 between the City of Kenmore and the Department of Ecology accepting 2021-2023 Solid Waste Management Local Solid Waste Financial Assistance Funds

[Agenda Bill - DOE Solid Waste Management Local Solid Waste Financial Assistance Agreement](#)

[Contract 21-C2757-DOE- SWMLSWFA](#)

- C. Authorize the City Manager to Execute Contract No. 22-C2770 with Olympic Environmental Resources in the amount not to exceed \$122,500 for the Management of Residential Recycling Events and Administration of the Supporting Grant Funds.

[Agenda Bill - Contract 22-C2770 Olympic Environmental Resources](#)

[Contract 22-C2770 Olympic Environmental Resources](#)

- D. Approve January 8, 2022, City Council Retreat Report

[Agenda Bill - January 2022 Retreat Report](#)

[Retreat Report January 2022](#)

- E. Ratification of 2021 King County Countywide Planning Policies and the 2021 King County Growth Capacity Report

[Agenda Bill - Ratification 2021 King County Countywide Planning Policies \(CPP\) and the 2021 Urban Growth Capacity Report](#)

[Ordinance 19369](#)

[Ordinance 19384](#)

- F. Authorize the City Manager to enter into an Interlocal Agreement with the Northshore Utility District to Construct the District's Water Main Replacement Project

[Agenda Bill - NUD Interlocal - 190th Culvert - February 2022](#)

- G. Approve ARCH Work Plan Budget, Work Program, Fall 2021 Housing Trust Fund Projects, and Resolution No. 22-378 Amendment No. 1 to the Amended and Restated Interlocal Agreement for ARCH
[Agenda Bill - 28 Feb 2022 ARCH Work Plan, Budget, Trust Fund](#)
[2022 ARCH Budget and Work Program](#)
[Trust Fund Recommendations to Councils Fall 2021](#)
[Resolution 22-378 ARCH ILA Amendment re Board Diversity 2022](#)
[ARCH Budget Work Program, Trust Fund, ILA - PowerPoint](#)

Councilmember Marshall moved to approve the consent agenda including items A-G outlined above. Councilmember Herbig seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT.

PUBLIC HEARING

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

[Agenda Bill - Automated Enforcement \(KAPE Program\)](#)
[Attachment A - Tech Memo - Photo Enforcement Changelog](#)
[Attachment B - Tech Memo - Photo Enforcement](#)
[Attachment C - 22-0542 Ordinance Automated Traffic Safety Cameras](#)
[Attachment D - KMC Automated Traffic Safety Cameras - Chap 10.45](#)
[Attachment E - Tech Memo - Photo Enforcement Crash Data](#)
[Attachment F - Tech Memo - Photo Enforcement Violation Data](#)
[Attachment G - Memo - Photo Enforcement Court Data](#)
[Photo Enforcement Presentation Slides](#)

Traffic Engineer Tobin Bennett-Gold provided a brief history of the evolution of the program and the community support behind it. He provided a presentation and covered the basic staff recommendations and proposed project timeline:

1. Implement an auto enforcement program based upon the Photo Enforcement Technical Memorandum (Attachment B) at the following locations:
 - 73rd Ave NE in the Kenmore Elementary School Zone for school zone speed violations,
 - Juanita Dr NE in the Arrowhead Elementary school zone or school zone speed violations, and
 - 61st Ave NE and NE Bothell Way (SR522) for eastbound-to-northbound left-turn red-light violations.
2. Implement a fine schedule for infractions detected by automated photo enforcement as follows:
 - Automated Red-Light Enforcement
\$100 Failure to Stop at a Red Light
 - Automated School-Zone Enforcement
\$100 Exceeding the School Zone Speed Limit by 6+ MPH When School Zone is Active
 - \$250 Exceeding the Regulatory Speed Limit 6+ MPH When School Zone is Active

3. The schedule for implementation of photo enforcement as follows:

Apr '22	Installation of advanced warning signs for photo enforcement locations, installation of photo enforcement cameras
Apr '22	Start of warning period: photo enforcement cameras become active, and warnings are issued in lieu of notices of infraction.
Summer '22	Automated red-light enforcement warning period ends no sooner than 2 months after cameras become active. School-zone speed enforcement cameras not active during summer.
Fall '22	Automated speed enforcement warning period ends, cameras begin issuing fines at start of school year. Photo enforcement program is now fully implemented.

MOTION: Councilmember Pfeil moved to adopt Ordinance 22-0542 for Implementation of the Automated Photo Enforcement Program and Amendment to Chapter 10 of the Kenmore Municipal Code. Councilmember Marshall seconded the motion.

VOTE: 6 For, 1 Against, 0 Abstain. MOTION CARRIED.

B. Threshold Determination for MainStreet Property Group's Development Agreement, presented by Development Services Director Bryan Hampson, for Discussion and Action

[Agenda Bill- MainStreet Development Agreement](#)

[Attachment 1 - MainStreet Property Group - Development Agreement Request Package February 2022](#)

Development Services Director Bryan Hampson introduced Kevin Merriman and Kim Faust of MainStreet Property Group. MainStreet Property Group proposes a 150-160 multifamily unit catalyst project in the City's TOD Overlay. The proposed multifamily building will replace underutilized land with a new project with high-quality design and materials and right-of-way improvements. The proposal will create an attractive and inclusive place, where residents can walk to transit and afford where they live. To achieve this project, MainStreet is requesting a development agreement to allow flexibility from specific zoning code regulations pursuant to Chapter 18.110 of the Kenmore Municipal Code (KMC). A development agreement requires that a "threshold determination (yay/nay)" is obtained from the City Council. In addition, a development agreement requires two public hearings for public participation.

MOTION: Councilmember Pfeil moved to approve Further Review of the MainStreet Property Group Development Agreement for the Project Located at 7520 NE Bothell Way. Councilmember Srebnik seconded the motion.

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

C. Kenmore Cares Update with Assistant City Manager/ARPA Administrator Stephanie Lucash and partners from the Northshore Schools Foundation, for Information

Assistant City Manager Stephanie Lucash and guests Carmin Dalziel and Heather Erickson of the Northshore Schools Foundation. To date, 296 families have been served. \$664,000 has been distributed. With some funds awaiting final processing, NSF hopes to disburse approximately \$110,000 by the end of March 2022.

- D. **Personnel Policy Wellness Program Amendment, Resolution 22-379, presented by Human Resource Manager Leonora Palaña and Wellness Committee Representative Tela Gardner, for Approval**
[Agenda Bill - Resolution 22-379 Personnel Policy Amendments](#)
[Attachment A - Resolution 22-379 Resolution Adopting Change to the Personnel Policy](#)
[Attachment B - Example Wellness Day Off Checklist](#)

Human Resources Manager Leonora Palaña explained that the City of Kenmore would like to update the Personnel Policy to restructure the accrual of the Wellness Day Floating Holiday to reflect current law, while continuing to promote a healthy work environment through the incentive of an award of a Wellness Day off to eligible full-time employees who participate in the Annual Wellness Program during a calendar year. If all eligibility and participation requirements are met by December 31 of a calendar year, eight (8) hours will be added to the full-time participating employee's holiday leave balance for the following calendar year. Permit Coordinator/Wellness Committee Representative Tela Gardner noted that a Wellness Day Off Checklist must reflect completion of the following:

- Providing Human Resources proof of earned and redeemed AWC Wellness Reward points (via Health Central).
- Participation in four (4) Wellness-sponsored activities.

MOTION: Councilmember Kugler moved to approve a Wellness Day Floating Holiday (Resolution No. 22-379). Councilmember Pfeil seconded the motion.

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

STAFF REPORTS

Aqua Club Programming – Community Development Director Debbie Bent presented a small-scale opportunity to attempt Aqua Club Programming. The Council gave direction to proceed.

King County Aquatic Center Siting Study – Assistant City Manager Stephanie Lucash explained that the City did receive to grants to do a feasibility study for an aquatic center in North King County.

Urgent Business Assistance - Assistant City Manager Stephanie Lucash noted that urgent business need funding program is scheduled to roll out at the end of week.

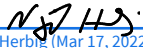
COUNCILMEMBER REPORTS & COMMENTS

Coffee with Council – The Council discussed moving a coffee with Council time slot to a weekday evening. A survey or poll might be sent out in the future to gather feedback on suggested times.

Returning to in-person meetings – The Council agreed that it was a good idea to start discussing moving toward in-person meetings soon.

ADJOURNMENT

Mayor Herbig adjourned the meeting at 10:20 p.m.


Nigel Herbig (Mar 17, 2022 17:58 PDT)

Nigel Herbig, Mayor

ATTEST:


Anastasiya Warhol (Mar 17, 2022 17:58 PDT)

Anastasiya Warhol, City Clerk