

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, September 12, 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 – Remote Attendance
Deputy Mayor Melanie O’Cain – Excused
Councilmember David Baker
Councilmember Joe Marshall
Councilmember Angela Kugler
Councilmember Debra Srebnik
Councilmember Corina Pfeil

Staff: City Manager Rob Karlinsey
Assistant City Manager Stephanie Lucash
City Clerk Anastasiya Warhol
Deputy City Clerk Michelle Kang
Community Development Director Debbie Bent
Principal Planner Lauri Anderson
Assistant to the City Manager – ARPA Garret Oppenheim
Management Analyst – ARPA Janet Quinn

Speaking Guests: Kevin Lowery, NEMCo Director
Mariel Torres Mehdipour, Proclamation Recipient
Michael Reading, King County Behavior Health
Barbie Collins Young, NAMI Eastside
Milton Curtis, Proclamation Recipient
Marilyn Simpson, Kenmore Resident
Dave Postetter, Kenmore Resident
Dale Walker, Kenmore Resident
Chris Olson, Kenmore Resident
Melissa Pendleton, Kenmore Resident
Wayne Fu, Kenmore Resident
Dakota Rash, Lake Forest Park Resident
Elizabeth Mooney, Kenmore Resident
Stacey Valenzuela, Kenmore Resident

CALL SPECIAL MEETING TO ORDER

Mayor Herbig requested that Councilmember Baker act as the Presiding Officer during the meeting. Mayor Herbig was a virtual participant but chose not to chair the meeting due to illness.

Presiding Officer David Baker called the Special Meeting to order at 6:30 pm.

EXECUTIVE SESSION

Pursuant to RCW 42.30.110(1)(b), the Council entered an executive session to consider real estate acquisition. It was announced that the session would conclude at 7:00 p.m.

ACTION RELATING TO EXECUTIVE SESSION

MOTION: Councilmember Pfeil moved to approve the Real Estate Purchase and Sale Agreement authorizing the purchase of residential real property located at 18727 73rd Avenue NE, Kenmore, Washington, in the amount of \$680,000.00, and authorize the City Manager to execute the Real Estate Purchase and Sale Agreement and take all actions necessary to implement said agreement, including but not limited to:

1. Executing the Right of Entry Agreement and having all environmental and other due diligence investigations of the real property performed;
2. Entering into any reasonable modifications or amendments to the Real Estate Purchase and Sale Agreement as may be required, so long as the purchase price for said property is not increased; and
3. Executing and delivering any documentation necessary to terminate the Real Estate Purchase and Sale Agreement, should City Manager determine the property does not satisfy the City's due diligence investigation, that title to the property is not satisfactory, or that other reasonable basis exists for City's termination as permitted under the Real Estate Purchase and Sale Agreement.

Councilmember Kugler Seconded the motion.

VOTE: 4 For, 2 Against, 0 Abstain, **Motion PASSED.**

ADJOURN SPECIAL MEETING

Presiding Officer Baker adjourned the special meeting.

CALL REGULAR MEETING TO ORDER

Presiding Officer Baker called the regular meeting to order.

FLAG SALUATE

Presiding Officer Baker led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved by unanimous consent.

PROCLAMATIONS

Presiding Officer Baker issued the National Hispanic and Latino Heritage Month Proclamation on Mayor Herbig's behalf. It was accepted by Kenmore Resident Mariel Torres Mehdipour.

[National Hispanic and Latino Heritage Month Proclamation](#)

Presiding Officer Baker issued the National Recovery Month Proclamation on Mayor Herbig's behalf. It was accepted by Michael Reading of the King County Behavioral Health Department.

[National Recovery Month Proclamation](#)

Presiding Officer Baker issued the Suicide Prevention Month Proclamation on Mayor Herbig's behalf. It was accepted by Executive Director of NAMI Eastside, Barbie Collins Young.

[Suicide Prevention Month Proclamation](#)

Presiding Officer Baker issued the Falls Prevention Awareness Week Proclamation on Mayor Herbig's behalf. It was accepted by Dr. Milton Curtis.

[Falls Prevention Awareness Week Proclamation](#)

Proclamation recipients were invited to take a commemorative photo with the Council.

PRESENTATION

Presiding Officer David Baker introduced the new NEMCo (Northshore Emergency Management Coalition) Director, Kevin Lowery. Mr. Lowery explained that as the local emergency manager, he heads the local emergency management coalition consisting of the City of Kenmore, City of Lake Forest Park, Northshore Utility District, and the Northshore Fire Department. Mr. Lowery's role is assisting in the administrative preparation and the response to large scale emergencies and disasters.

Presiding Officer Baker briefly introduced the following staff and their roles:

- Garrett Oppenheim, Assistant to the City Manager – ARPA
- Janet Quinn, Management Analyst – ARPA
- Michelle Kang, Limited-Term Deputy City Clerk

PUBLIC COMMENTS

The Council took comments from the public.

Timestamped link included here: <https://youtu.be/btSSP1Vqai0?t=3694>

CONSENT AGENDA

- A. Approve Minutes: August 19, 2022 Special Meeting Minutes
[City Council August 19, 2022 Special Meeting Minutes](#)

- B. Approve Total Check #s 50247 through 50345 totaling \$892,113.43 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 8/12/22 in the amount totaling \$198,448.18 and ACH Payment to Thomco Construction in the amount of \$385,568.02, and Payroll Check # 10181 in the amount of \$435.36
[Voucher Approval Report Dated 8/19/22](#)
- C. Approve Total Check #s 50346 through 50438 totaling \$830,188.19 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic
[Voucher Approval Report Dated 9/2/2022](#)
- D. Ratify the City Manager signing and executing the Amendment to the Interlocal Agreement for Inmate Housing and the Amendment to Original Agreement for Inmate Housing with the South Correctional Entity (SCORE) and Deposits Dated 8/26/22 in the amount totaling \$189,565.04 and ACH Payment to U.S. Bank in the amount of \$26,793.38, and Payroll Check # 10186 in the amount of \$497.55.
[Agenda Bill - SCORE Jail Interlocal Amendments](#)
[SCORE Amendment to Interlocal Agreement](#)
[SCORE Amendment to Original Agreement](#)
[Agenda Bill - SCORE Jail Interlocal Amendments](#)
- E. Approve, 1) the Opioid Settlement Form entitled, "Exhibit F Subdivision Settlement Participation Form," and 2) the Allocation Agreement Governing the Allocation of Funds Paid by the Settling Opioid Distributors in Washington State (August 8, 2022) and Authorize the City Manager to Execute said documents and take all steps necessary for Kenmore to join the Washington Settlement with Opioid Distributors
[Agenda Bill - Opioid Distributors WA Settlement](#)
[Attachment 1 - WA Local Govt MOU1 - signed](#)
[Attachment 2 - Exhibit F Subdivision Settlement Participation Form](#)
[Attachment 3 - Allocation Agreement with exhibits - final](#)
[Attachment 4 - Opioid Remediation Uses](#)
- F. Ratify Resolution with the Northshore School District for Kenmore Elementary Facility Use for Summer Programs
[Agenda Bill and Attached NSD Resolution- Northshore School District Facility Use](#)

MOTION: Councilmember Srebnik moved to approve the consent agenda including all items A-F above. Mayor Herbig seconded the motion.
PASSED BY UNANIMOUS CONSENT.

BUSINESS AGENDA

- A. Comprehensive Plan and Development Regulation Amendments, presented by Community Development Director Debbie Bent and Principal Planner Lauri Anderson, *for Continued Discussion*

[Agenda Bill - Comprehensive Plan and Development Regulation Amendments Discussion - September 2022](#)

[Attachment 1 - Summary of Changes](#)

[Attachment 2 - Draft Vision Statement](#)

[Attachment 3 - Draft Land Use Element](#)

[Attachment 4 - Draft Housing Element](#)

[Attachment 5 - Draft Capital Facilities Element](#)

[Attachment 6 - Revised Zoning Map](#)

[Attachment 7 - Draft Missing Middle Housing Code Amendments](#)

Community Development Director Debbie Bent highlighted the important upcoming events related to this topic:

- On September 21st at 7:00 p.m, a special presentation on “Missing Middle” housing will be provided by Karen Parolek of Opticos Design will be held online and on-site.
- On September 26th, during the regular Council Meeting, a public hearing will be held on the proposed Comprehensive Plan Amendments, including “Missing Middle” Housing.

A city-wide mailer advertising the events will hit mailboxes on September 13. The mailer includes information related to “Missing Middle” housing as well as the outline of upcoming events.

Principal Planner Lauri Anderson explained that a summary of changes has been included in the Council packet. Councilmembers raised some of the following questions:

- Was an environmental review performed in relation to the proposed amendments? Ms. Bent explained that a SEPA (State Environmental Policy Act) review was conducted as part of the process and a “determination of non-significance” was issued (this means that the reviewing agency believes that the proposal is unlikely to have significant adverse environmental impact).
- Ms. Bent also noted that specifics related to stormwater impacts are better answered by the Environmental Services Manager and that staff will return with clarifications.
- Did we consider a sidewalk impact fee? Ms. Bent noted that there was no consensus from the Council to pursue.
- Were affected agencies, like the Muckleshoot Tribe, alerted of the proposed changes? Staff explained that local agencies are notified as part of the SEPA process.

Councilmembers expressed concern over whether there has been enough time for the community to understand the proposed changes. Also, it was questioned whether these changes would “re-characterize” the community. It was also noted that the zoning changes proposed are incremental in nature and that any zoning change related to this would occur steadily over many years.

Staff explained that the Council will have an opportunity to field additional public testimony on this matter during the September 26 public hearing. Testimony given will be summarized and remitted to the Council to aid in decision-making.

MOTION: Councilmember Marshall moved to change the schedule and put the decision on the Comprehensive Plan aside until at least December of this year. Councilmember Baker seconded the motion.

VOTE: 2 For, 4 Against, 0 Abstain, **MOTION FAILED.**

STAFF REPORTS

City Manager Rob Karlinsey explained that the City is busy working on the biennium budget. The City also wrapped up a busy summer season with 27 successful summer events. Mr. Karlinsey noted that we are also hitting our milestones on the Juanita Drive and Bridge Projects.

COUNCILMEMBER REPORTS & COMMENTS

The Council agreed to place Sound Cities Association Committee Assignments, as a discussion topic, on the next meeting agenda.

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 8:55 p.m.


Nigel Herbig (Sep 29, 2022 11:53 PDT)

Nigel Herbig, Mayor


Anastasiya Warhol (Sep 29, 2022 11:56 PDT)

Anastasiya Warhol, City Clerk

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Final Audit Report

2022-09-29

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