

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, January 9, 2023**

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 David Baker
Councilmember Joe Marshall
Councilmember Angela Kugler
Councilmember Debra Srebnik
Councilmember Corina Pfeil

Staff:

City Manager Rob Karlinsey
Deputy City Manager Stephanie Lucash
City Attorney Dawn Reitan
Deputy City Clerk Michelle Kang
Co-Clerk Brian Randall
Community Development Director Debbie Bent
Development Services Director Samantha Loyuk
Building Official Tom Phillips
Code Enforcement Bridgit Baker

Speaking Guests:

Chief Matt Cowan, Chief of Northshore Fire District and Shoreline Fire District
Dr. Devin Byrd, President and CEO
Dr. Jeanne Galloway, Vice President of Advancement & Enrollment Services

Public Comments Speaking Guests:

Dakota Rash, Lake Forest Park Resident
Keith Hunter, Kenmore Resident
Jon Culver, Kenmore Resident
Tracy Banaszynski, Kenmore Resident
Ryan Johnson, Kenmore Resident
Stacey Valenzuela, Kenmore Resident
Nancy Hansen, Kenmore Resident

Elizabeth Mooney, Kenmore Resident
Chris Olson, Kenmore Resident
Patrick O'Brien, Kenmore Resident
Danielle Olson, Kenmore Resident

Public Hearing Speaking Guests:

Stacey Valenzuela, Kenmore Resident
Chris Olson, Kenmore Resident

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the special meeting to order at 6:15 PM.

EXECUTIVE SESSION

Pursuant to RCW 42.30.110(1)(i), the City Council entered an executive session to discuss pending or potential litigation. Mayor Herbig announced the executive session was slated to last 45 minutes. No action was taken.

ADJOURN SPECIAL MEETING

Mayor Herbig adjourned the special meeting at 7:00 PM.

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 7:00 PM.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved with item XVI removed. Executive Session removed.

PRESENTATIONS

- A. Chief Matt Cowan, Chief of Northshore Fire District and Shoreline Fire District, introduced himself to Council and discussed the progress of the merger between Northshore Fire District and Shoreline Fire District.
- B. Bastyr Strategic Plan, introduced by Deputy City Manager Stephanie Lucash and presented by President & CEO Dr. Devin Byrd and Vice President of Advancement & Enrollment Services Dr. Jeanne Galloway
[Presentation - Bastyr Strategic Plan](#)

President & CEO Dr. Devin Byrd presented the Bastyr Strategic Plan to Council. The new 5-year strategic plan, which launched in July 2022, would focus on four separate areas: student experience; employee engagement and support; partnership engagement; and innovation. Bastyr University's Priorities align well with Kenmore City Council Priorities for 2023-2024, such as

climate action plan and environmental stewardship; affordable housing; and diversity, equity, inclusion, and accessibility.

Bastyr University's Master Plan will be worked on in the coming months. The Master Plan and Future Objectives include:

- Health, wellness, and prevention
- Engagement of Kenmore residents
- Authentic, substantive, positive impact
- Development of greenspace
- Partnerships
- Innovation
- Destination location for local and out-of-town visitors

PUBLIC COMMENTS

Council took comments from the public.

Timestamped link here: https://www.youtube.com/live/_DoJ6tvo4ig?feature=share&t=4324

CONSENT AGENDA

- A. Cancel the following City Council Regular Meeting of January 16, 2023
- B. Approve City Council Special and Regular Meeting Minutes from November 21, 2022
[City Council Special and Regular Meeting Minutes from November 21, 2022](#)
- C. Approve City Council Regular Meeting Minutes from November 28, 2022
[City Council Regular Meeting Minutes from November 28, 2022](#)
- D. Approve City Council Special Meeting Minutes from December 12, 2022
[City Council Special Meeting Minutes from December 12, 2022](#)
- E. Approve Total Check #s 50983 through 51066 totaling \$1,754,837.88 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 12/02/2022 in the amount totaling \$201,401.27, and W&W Loan Payment to US Bank in the amount of \$991,984.63, and ACH Payment to Thomco Construction in the amount of \$150,754.81, and ACH Payment to US Bank Purchase Cards in the amount of \$21,688.10, and ACH Payment to WA Federal Bank in the amount of \$38,107.55.
[Voucher Certification and Approval dated 12-12-2022](#)
- F. Approve Total Check #s 51067 through 51169 totaling \$897,254.97 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 12/16/2022 in the amount totaling \$212,745.55.
[Voucher Certification and Approval dated 12-23-2022](#)
- G. Approve the 2023 Proclamations Calendar as attached, or as amended.
[Agenda Bill - 2023 Proclamations Calendar](#)
[Attachment 1 - Proposed 2023 Proclamations Calendar](#)

H. Authorize the City Manager to execute a contract for \$2,150,000 with KPFF Consulting Engineers for engineering on-call services

[Agenda Bill - Transportation On-Call Consultant Selection](#)

I. Delegate legal binding authority to the City Manager and Department Directors for contracting and grant fund reimbursements.

[Agenda Bill - Delegation of Legal Binding Authority](#)

MOTION: Councilmember Kugler moved to approve the consent agenda outlined above. Councilmember Baker seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

PUBLIC HEARING

Ordinance No. 23-0569 Extending and Renewing Interim Regulations for development within the Transit Oriented Development (TOD) District Overlay for an additional six-month period, presented by Community Development Director Debbie Bent, *for Public Hearing*

[Agenda Bill - Extending Interim Regulations](#)

[Attachment 1 - Proposed Ordinance 23-0569](#)

[Attachment 2 - Ordinance 22-0543 TOD Interim Regulations](#)

[Attachment 3 - Ordinance 22-0555 Extending Interim Regulations](#)

Community Development Director Debbie Bent presented to Council the recommendation to extend interim regulations. The interim regulations were put in place to allow for the Planning Commission and then the Council to consider permanent regulations for Transit-Oriented Development (TOD). Planning Commission presented their recommendations at the end of 2022 and Council provided staff with direction. Staff is now working on direction for permanent TOD regulations, which requires more time for the City and Council to complete considerations.

The current interim regulations prohibit townhome development and for those properties that do not chose to develop under TOD provisions, they must meet the base density of the underlying zone and include at least 25% of the total number of units. The interim regulations allow development to occur while Council is considering permanent regulations. If Council chooses to extend interim regulations, the extension is for an additional six-month period, ending July 25, 2023. The interim regulations can be repealed earlier if the ordinance for permanent regulations is adopted sooner.

Mayor Herbig opened the public hearing at approximately 8:04 PM.

The Council took public testimony from the public:

<https://www.youtube.com/live/DoJ6tvo4ig?feature=share&t=6581>

Mayor Herbig closed the public hearing at approximately 8:12 PM.

BUSINESS AGENDA

- A. Ordinance No. 23-0569 Extending and Renewing Interim Regulations for development within the Transit Oriented Development (TOD) District Overlay for an additional six-month period, presented by Community Development Director Debbie Bent, *for Approval*

[Agenda Bill - Extending Interim Regulations](#)

[Attachment 1 - Proposed Ordinance 23-0569](#)

[Attachment 2 - Ordinance 22-0543 TOD Interim Regulations](#)

[Attachment 3 - Ordinance 22-0555 Extending Interim Regulations](#)

MOTION: Councilmember Baker moved to approve Ordinance No. 23-0569 Extending and Renewing Interim Regulations for development within the Transit Oriented Development (TOD) District Overlay for an additional six-month period. Councilmember Pfeil seconded the motion.

VOTE: 7 Yes; 0 No; 0 Abstain. **MOTION PASSES**

- B. Development Services Code Compliance, presented by Development Services Director Samantha Loyuk, Building Official Tom Phillips, and Code Enforcement Officer Bridgit Baker, *for Discussion and Direction*

[Agenda Bill - Code Compliance](#)

[Attachment 1 - Memo](#)

[Attachment 2 - Presentation](#)

Code Enforcement Officer Bridgit Baker presented the Development Services Code Compliance presentation to the Council. The presentation included:

1. Code Compliance Program overview
2. Current workload and open cases
3. Resources, tools, and codes
4. Property Maintenance Code
5. Staff Recommendations

The department's approach to code enforcement emphasizes compassion, safety, and education to achieve compliance to help people love where they live. Complaints fall into two different categories: proactive and reactive. Proactive complaints revolve around life safety issues, environmental, and can be acted on regardless if the complaint is received by the City or not. Reactive complaints are typically zoning that affect the standard of living, such as garbage, overgrown vegetation, or structures built in the setbacks.

Through November of 2022, there were 239 code enforcement service requests. 43% of active cases involve general nuisance, such as garbage or junk vehicles. 39% of active cases involve the building, such as work done without a permit or illegal dwelling. One of the most challenging and time-consuming cases are those of potential hoarding. Education is required to understand what compliance looks like. Individuals have their own idea of what compliance looks like and that may differ from reality.

The Resources and Codes the City currently relies on are:

- 1997 Uniform Housing Code

- 1997 Uniform Code Abatement for Dangerous Buildings
- Kenmore Municipal Code (KMC 8.25 & KMC 8.35)
- Fines (\$500/day)
- Vouchers (CCAP)
- Police (RADAR)
- Healthcare professionals (MIH)
- Community, non-profits, agencies (churches, King County Housing Repair)

Another tool that is available but not used at this time is the 2018 International Property Maintenance Code (IPMC). It is often considered the roadmap to property maintenance and is used nationwide. It establishes minimum requirements for the maintenance of existing buildings. Requirements are specific, easy to understand, and enforceable. It gives the City more discretion in the application. The IPMC is updated every three years. Other cities that currently use the IPMC include Shoreline, SeaTac, Bellingham, and Issaquah.

There are also additional options for more restrictive codes and additional programs for Council to consider, such as mandatory garbage service, some restrictions on tarps, temporary structures, etc.

The six code options to consider that staff recommends:

1. To emphasize sanitization, require mandatory garbage collection (currently voluntary)
2. Restrict tarps (color, size, and/or duration), canopies, tent-like storage structures, and temporary pole buildings
3. Require lawn and vegetation maintenance to allow a maximum grass height of six inches for property adjacent to an arterial street and a maximum grass height of twelve inches for all other properties
4. Limit the use of cargo containers to one per property and limited duration.
5. Adopt applicable sections to the IPMC to create a Kenmore Property Maintenance Code (KPMC) within the KMC
6. Coordinate with local churches, non-profit organizations, and King County programs to assist with home maintenance and repair services. Build an internal resources library of assistance services available to Kenmore residents, property owners, and businesses.

Councilmembers provided general direction:

1. Council has directed Staff to proceed with the first recommendation.
2. Council wants staff to return with more details and discussion for the second recommendation.
3. Council has directed Staff not to proceed with the third recommendation.
4. Council wants staff to return with more details and discussion for the fourth recommendation.
5. Council has directed to Staff proceed with the fifth recommendation and return to Council with updates and further information.
6. Does not need direction since the City is already doing this.

STAFF REPORTS

- A. City Manager Rob Karlinsey informed Council that Staff will be returning to Council at the January 23rd Council Meeting with a package on the Climate Action Plan and Housing & Human Services needs, based on the conversation that took place during the November 7th Council Meeting. The plan will include the means to fund the Climate Action Plan, the step of hiring a Climate Action Plan manager, the step of hiring a Housing and Human Services Manager, as well as additional steps of including administrative support costs such as a new position in finance. January 23rd is intended for discussion, not a vote, because the City wants time for the public to weigh in on the matter. Full adoption will hopefully happen in February.
- B. City Manager Rob Karlinsey reported on a postcard that will be delivered to all Kenmore residents about an outreach piece for the transportation element of the TOD. The community engagement tool can be found on Kenmore2044.com.

COUNCILMEMBER REPORTS & COMMENTS

Councilmember Baker has asked that Staff find ways to support Maurice Leary and his Step It Up camp as well as address the lack of sidewalk on a specific length of road where the current state of the sidewalk is not wide enough for accessibility purposes.

EXECUTIVE SESSION

This item was removed from the agenda during agenda approval.

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 9:28 PM.


Michelle Kang (Feb 14, 2023 10:38 PST)

Michelle Kang, Acting City Clerk


Nigel G. Herbig (Feb 14, 2023 12:21 PST)
Nigel Herbig, Mayor

City Council Special and Regular Meeting Minutes from January 9, 2023

Final Audit Report

2023-02-14

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