

**City of Kenmore
City Council Meeting
Special & Regular Meeting Minutes
Monday, April 10, 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 – Virtual
Councilmember David Baker – Virtual
Councilmember Joe Marshall
Councilmember Angela Kugler – Virtual
Councilmember Debra Srebnik
Councilmember Corina Pfeil

Staff: Acting City Manager Stephanie Lucash
City Attorney Dawn Reitan
City Attorney Christopher Pirnke
Acting City Clerk Michelle Kang
Co-Clerk Brian Randall
Finance & Administration Director Melinda Merrell
Engineering Director John Vicente
Senior Civil Engineer Kent Vaughn
Development Services Director Samantha Loyuk
Construction Inspector Miguel Kelley
Community Development Director Debbie Bent
Public Works Operations Director Jennifer Gordon
Traffic Engineer Tobin Bennett-Gold
Police Chief Brandon Moen

Public Comments Speaking Guests:
Keith Hunter, Kenmore Resident
RF Ovid, Kenmore Resident
Scott Olson, Kenmore Resident
Steve Yoder, Kenmore Resident
Dennis Quinn, Kenmore Resident
Karen Grabo, Kenmore Resident
Doug Edge, Kenmore Resident

Victoria Grayland, Kenmore Resident
Claire Alexander-Joly, Kenmore Resident
Leslie McCallum, Kenmore Resident
Tony Enslow, 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 that the executive session is slated to last 45 minutes.

POSSIBLE ACTION RELATING TO EXECUTIVE SESSION

MOTION: Councilmember Pfeil moved to authorize the City Manager and City's Attorney Office to proceed with filing a lawsuit against Ziply Fiber for damages and costs incurred by the City in the Juanita Drive NE Pedestrian and Bicycle Improvement Project No. T41 (20-C2144), resulting from conflicts with Ziply Fiber's facilities, and to take all other steps necessary to implement this motion. Councilmember Srebnik seconded the motion.

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

ADJOURN SPECIAL MEETING

Mayor Herbig adjourned the special meeting at approximately 7:02 PM.

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at approximately 7:02 PM.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PRESENTATION

Development Services Director Samantha Loyuk introduced Construction Inspector Miguel Kelley. Miguel Kelley shared some information about himself to the Council.

WHERE'S THE FUN?

Acting City Manager Stephanie Lucash shared some photos courtesy of Kenmore Resident Jason Sperling. Jason Sperling took the photos from his kayak of ʔaʔwadis (Ti'awh-ah-dees) Park.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here:

<https://www.youtube.com/live/5wNvsjSYWXI?feature=share&t=3009>

CONSENT AGENDA

- A. Approve City Council Special and Regular Meeting Minutes from March 13, 2023.
[City Council Special and Regular Meeting Minutes from March 13, 2023](#)
- B. Approve Total Check #s 51652 through 51713 totaling \$587,068.04 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 03/10/2023 in the amount totaling \$205,294.38 and ACH Payment to Washington Federal Bank in the amount of \$4,851.73, and Payroll Check #10208 in the amount of \$208.82, and Payroll Check #10209 in the amount of \$2,492.65
[Voucher Certification and Approval 03/04/23 - 03/17/23](#)
- C. Receive and file the November 2022 Monthly Financial Report.
[November 2022 Monthly Financial Report](#)
- D. Receive and file the December 2022 Monthly Financial Report.
[December 2022 Monthly Financial Report](#)
- E. Adopt Ordinance No. 23-0572, amending Title 3 of the Kenmore Municipal Code to adopt a new Chapter 3.90 KMC establishing an affordable housing fund as presented.
[Agenda Bill - Affordable Housing Fund](#)
[Attachment 1 - Proposed Ordinance No. 23-0572](#)
- F. Authorize the City Manager to sign and execute Contract No. 23-C2896 for Federal Government Relations in an amount not to exceed \$80,000 per year.
[Agenda Bill - Contract No. 23-C2896 Federal Government Relations](#)
[Attachment 1 - Contract No. 23-C2896](#)
- G. Authorize the City Manager to execute Amendment #1 to Contract No. 22-C2845 with PRR, Inc. to increase the contract by \$17,000 to a total contract of \$167,000 for scope related to middle housing analysis, public engagement, and racial equity report.
[Agenda Bill - Amendment #1 to Contract 22-C2845](#)
[Attachment 1 - Contract 22-C2845 PRR Consultant Services Agreement](#)

[Attachment 2 - Amendment #1 to Contract 22-C2845](#)

MOTION: Councilmember Pfeil moved to approve the consent agenda outlined above. Councilmember Srebnik seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

BUSINESS AGENDA

- A. Veterans Memorial Proposal for City Hall, presented by Acting City Manager Stephanie Lucash, Community Development Director Debbie Bent, and Public Works Operations Director Jennifer Gordon, *for Review and Recommendation*

[Agenda Bill - Veterans Memorial Proposal](#)

[Attachment 1 - Veterans Memorial Submittal, Review, and Selection Criteria](#)

[Attachment 2 City's Donation Policy Ordinance No 19-0942](#)

[Attachment 3a - Email from the Kenmore Historical Society](#)

[Attachment 3b - Kenmore Historical Society Veterans Memorial Proposal](#)

[Attachment 4a - Email from Stacey Valenzuela Veterans Tribute for Kenmore Proposal](#)

[Attachment 4b - Image of Veterans Memorial](#)

[Attachment 4c - Image of Veterans Memorial](#)

[Attachment 4d - Image of City Hall Location](#)

Community Development Director Debbie Bent presented to the Council the Veterans Memorial Proposals submitted to the City for consideration. Two proposals were submitted: one from the Kenmore Historical Society and one from Veterans Tribute, led by Kenmore Resident Stacey Valenzuela.

After reviewing both proposals based on the criteria available in the Agenda Bill, Staff recommended moving forward with the proposal from the Kenmore Historical Society.

MOTION: Deputy Mayor O'Cain moved to approve the Veterans Memorial Proposal submitted by the Kenmore Historical Society. Councilmember Srebnik seconded the motion.

VOTE: 6 Yes; 0 No; 1 Abstain. **MOTION PASSES**

MOTION: Councilmember Baker moved to authorize the City Manager to execute any necessary agreements with the Kenmore Historical Society. Councilmember Pfeil seconded the motion.

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

MOTION: Councilmember Baker moved to authorize up to \$4,000 of City funds, if needed, as matching funds for memorial expenditures, such as design, fabrication, and installation. Mayor Herbig seconded the motion.

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

- B. Facility Alternatives for Westbound 170th Street between Juanita Dr / 68th Ave and 72nd Ave, presented by Engineering Director John Vicente and Traffic Engineer Tobin Bennett-Gold, *for Discussion and Direction*

[Agenda Bill - Facility Alternatives](#)

[Attachment A – Scope Diagram](#)

[Attachment B – Westbound Buffered Bike Lane Conceptual Diagram](#)

[Presentation - Facility Alternatives](#)

Traffic Engineer Tobin Bennett-Gold and Engineering Director John Vicente presented to the City Council the following:

1. A brief overview of stopping sight distance.
2. Why street parking is problematic on 170th St.
3. What we can do instead of street parking.
4. What does a City have to do to get sidewalk around here.

Staff has concluded that the City cannot safely allow street parking on 170th St and has provided suggested alternatives for what to do with the space instead:

- Alternative A: Bike box
- Alternative B: Right turn lane crossing bike lane

Staff also presented about sidewalks between 70th and 68th. In the pedestrian facilities plan, the project to build fully out to the City's standards will cost around \$2.5 million, which the City currently does not have the budget for. The existing conditions are not suitable for sidewalk, bike lane, and buffers. The City would require an extra five feet, possibly more, to accommodate the pedestrian facilities. Furthermore, building sidewalks requires the City to be ADA compliant, which the driveways along the road that is in discussion are currently not.

Councilmembers provided directions to Staff. The bike lane can be created up until the maintenance entrance of Rhododendron Park and Staff should return to the Council with some additional alternatives that would make the intersection feel safer for bicyclists, since Councilmembers are not in consensus with Alternative A or B. The future discussion will encompass how the bike lane will approach the intersection and how bicyclists interact with the intersection.

- C. Ordinance No. 23-0573 regarding the use of personal flotation devices on waterways in the City of Kenmore while using human-powered watercraft, presented by Police Chief Brandon Moen, *for Discussion and Direction*

[Agenda Bill - Personal Flotation Device Ordinance No. 23-0573](#)

[Attachment 1 - Draft Ordinance No. 23-0573](#)

[Exhibit 1 - KMC 8.17](#)

[Attachment 2 - Map of Lake Washington Marine Patrol Districts](#)

Presentation - Personal Flotation Device

Kenmore Police Chief Brandon Moen presented to the Council Proposed Ordinance No. 23-0573 regarding the use of personal flotation devices on waterways in Kenmore. The waterways within City limits are well used and this proposed ordinance would require users of human-powered watercraft to use a properly fitted and approved personal flotation device. Examples of watercrafts include kayaks, rowboats, and paddle boards. The proposed ordinance is intended to be educational in nature. The first offense is warning, second offense is a civil fine, and a subsequent offense within six months is a greater civil fine. The proposed ordinance is similar to the current Lake Forest Park Ordinance and is supported by King County Sheriff's Office, Marine Unit.

Councilmembers provided questions and comments.

- Clarification question that this ordinance would require wearing the flotation device as opposed to just having it in the watercraft, which is a higher standard than powered boats for adults?
 - Correct.
- Can we get PFDs at our waterfront parks?
 - Staff is in discussion with the Public Works department to create a project where life jackets can be borrowed at parks, particularly Log Boom Park.
- Suggestion of community service or a fine for the second offense and community service and a fine for the third offense.

The proposed ordinance will return for adoption consideration by the Council on the consent agenda of the April 24, 2023 City Council meeting.

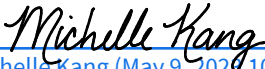
STAFF REPORTS

No staff reports.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 9:45 PM


Michelle Kang (May 9, 2023 10:51 PDT)

Michelle Kang, Acting City Clerk


Nigel G. Herbig (May 10, 2023 07:56 PDT)

Nigel Herbig, Mayor

City Council Special and Regular Meeting Minutes from April 10, 2023

Final Audit Report

2023-05-10

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