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**CITY OF LAKE FOREST PARK
City Council
Regular Meeting
August 12, 1999**

Councilmembers present: Donald MacGilvra, Alan Kiest, Peggy Gerdes, Carolyn Armanini, Mary Jane Goss, Nate Herzog

Councilmember excused: Dwight Thompson

Staff present: David R. Hutchinson, Mayor; Douglas Jacobson, City Administrator; Michael Ruark, City Attorney; John Rogers, Police Chief; Sarah Phillips, Community and Government Affairs Coordinator; Susan Stine, City Clerk; Evelyn Jahed, Deputy City Clerk

Others present: 14 visitors

CALL TO ORDER

Mayor Hutchinson called the regular meeting to order at 7:33 p.m.

CHANGES TO AGENDA

Hutchinson requested that the first, second and third items on the first reading calendar, Ordinance 793/Repealing LFPMC Chapter 2.44 Relating to Holidays and Leaves, Ordinance 796/Relating to Powers and Duties of City Administrator and Ordinance 791/Non-represented Employee Vacation Schedule, be deleted from the agenda.

Cmbr. Armanini noted that in conjunction with those changes to the agenda, the first item on the second reading calendar, Resolution 561/Employee Handbook, should be postponed.

CITIZEN COMMENTS

Karla Nemeth, staff member for King County Councilmember, thanked the mayor, councilmembers and staff who attended the August 9 joint meeting with the City of Kenmore. She asked councilmembers to call her if there are any questions.

Tom Ormond, 4232 NE 203rd Pl., commented on the recent article in the Lake Forest Park Enterprise regarding recent council action on the Burke Gilman trail speed limit. He said that he would have liked to comment on this ordinance prior to passage by the council. He suggested that the Town Crier be used to educate trail users.

1
2 Armanini said she received a copy of Ormand's email message on this topic. She noted that
3 Phil Miller, formerly with the King County Parks and Recreation Department, will be speaking at
4 the August 19 council study session to discuss the Burke Gilman trail and to share his
5 experiences about trail use.

6
7 Cmr. MacGilvra noted that the 15-mph speed limit was in effect on the Burke Gilman Trail prior
8 to annexation of areas that included portions of the trail.

9
10 Cmr. Gerdes thanked Mr. Ormond for his interest in this matter and said she appreciated his
11 comments. She suggested to him that he could also bring his concerns to the transportation
12 committee.

13
14
15 Bill Dodson, 4004 NE 165th St., said he attended the first neighborhood forum on the new city
16 hall issue, and he asked whether the city has looked into the possibility of contracting for police
17 services. Hutchinson discussed research that has been done by the city and said that the
18 Public Safety Commission will be pursuing this task next year.

19
20 Dodson submitted a copy of a petition requesting that the city get a proposal to study
21 contracting for police services, and he estimated that the petition contained approximately 170
22 signatures. City Clerk Susan Stine requested that Mr. Dodson submit the original petition to the
23 city.

24 25 26 **REPORTS**

27
28 In response to a question from Cmr. Kiest, Jacobson noted that there are provisions in the
29 code for special event signs on a short-term basis.

30
31
32 MacGilvra said he has submitted his report on the August 10 staff meeting.

33
34
35 Gerdes reported that the Regional Transit Committee is in recess this month. She noted that
36 Sound Transit has approved Route 3 for service to the north end of the county and discussed
37 the schedule for its implementation.

38
39
40 Kiest noted that he received his leadership certification from the Association of Washington
41 Cities.

42
43
44 City Administrator Jacobson reported that he is leaving on vacation on August 19 for
45 approximately one and one-half weeks.

46
47
48 Chief Rogers said he has submitted his written report and noted that Sergeant Scott Drown will
49 be out of the office for two or three weeks.

1 **Urban Forestry Committee**
2

3 Urban Forestry Committee Chair Armanini said the committee’s proposal is the culmination of a
4 year-long effort. She discussed the work of the committee and the process of crafting a
5 proposal for council consideration.
6

7 Committee member Roger Olstad added that when this process began the committee focused
8 on educational aspects related to the value and preservation of trees. However, due to
9 requests from the public and City Council, the committee recognized that education alone would
10 not be adequate to protect trees in Lake Forest Park. The committee looked into several
11 ordinances from other cities. Based on that information, the committee drafted an ordinance for
12 council consideration. (Council approved 8/26/99)
13

14 Armanini discussed information that the committee considered in their study. She noted that the
15 concerns are related to protection of the environment and the financial impact from the loss of
16 trees in managing storm water runoff and enhancing air quality. Armanini noted that safety
17 issues related to aging or hazardous trees must be considered as well as property rights. She
18 said that the proposal has placed emphasis on replacement of trees. (Council approved 8/26/99)
19

20 She said the committee recommends that council schedule a public hearing on this proposal for
21 sometime in September and that notices be published in the Town Crier and the Lake Forest
22 Park Enterprise.
23

24 Committee member Liane Newman added that the city of Woodinville has had their tree
25 ordinance in force since 1994. She added that the city of Redmond was also contacted to hear
26 their experience on this issue, and they responded that their ordinance is working well for them.
27

28 Kiest discussed water retention capacity of trees and a recent article regarding the loss of trees
29 and the impact on climate in the region and the cost of air conditioning.
30

31
32 **Carolyn Browne/Report on Survey of Public Attitudes**
33

34 Carolyn Browne reported on the results of the survey conducted by her firm and shared the data
35 with the council. She noted that full copies of the report will be delivered to the city next week
36 and noted an executive summary had been distributed to the council.
37

38 Browne discussed the major themes of the survey including quality of life in Lake Forest Park,
39 ratings of city services, issues of greatest concern, and sources for city information.
40

41 Jacobson noted that this item will be on the August 19 council study session agenda for further
42 discussion after council has had a chance to review the report.
43

44 In response to questions from Cmbr. Herzog, Browne discussed the percentages of households
45 called and the methodology used in obtaining the survey results.
46

47 MacGivra discussed other surveys that had been done by the economic development
48 committee and the police department.
49
50

1
2 **Kurt Triplett, King County/Wastewater Treatment Proposal**
3

4 Deputy Director of King County Department of Natural Resources Kurt Triplett, Project Manager
5 Christie True for the regional wastewater treatment proposal, and King County Executive Ron
6 Sims' aide Jean Carpenter presented information on the executive's proposal for wastewater
7 treatment.
8

9 Triplett provided an overview of the plan for a third treatment plant and noted the supporters of
10 this proposal. He also explained that Executive Sims does not support the Kenmore interceptor
11 line and discussed the potential for opposition from citizens.
12

13 Triplett said Executive Sims would veto a county council plan for regional wastewater services,
14 if adopted, that utilized conveyance rather than storage in the Kenmore/Lake Forest Park area.
15 He noted the potential for legal gridlock, which would be the fatal flaw in the plan. He said that if
16 the county tried to do both, the third treatment plant and the Kenmore interceptor tunnel, neither
17 would be done.
18

19 In response to a question from MacGilvra regarding the recent proposal for expanded storage,
20 Triplett said that Executive Sims believes that the Sheridan Beach overflow problems are local
21 rather than regional. However, he has decided to include a solution to the local problem by
22 making a storage facility part of his plan.
23

24 In response to a question from MacGilvra, Triplett discussed costs of static storage versus
25 moving storage in the interceptor tunnel. Triplett and Ms. True discussed the timing of
26 investments, the net present value and cumulative capital related to the plan. Triplett said he
27 disagreed with the information that was presented by engineer Dick Warren at the presentation
28 to the councils arranged by County Councilmember Fimia.
29

30 In response to MacGilvra's question regarding the value of redundancy in the system by
31 building a second lakeline, True said the current lakeline will have capacity to serve this area
32 until the plant is ready. She said redundancy is built into mechanical and safety devices at the
33 treatment plant. Potential impacts to the lakeline from an earthquake were discussed.
34

35 Carpenter said that pragmatically the Executive's staff has a grave concern about the plan to
36 build a new treatment plant if the plan includes an interceptor tunnel. She said their position is
37 that storage will work as well as the tunnel. She said the enhanced storage option will allow the
38 region to move forward while addressing the interests of Lake Forest Park and supporting the
39 county executive's plan.
40

41 In response to a question from Armanini, Triplett confirmed that the latest enhancements offered
42 by the Executive have been subject to the same rigorous financial analysis as earlier proposals.
43

44 In response to a question from Kiest, True said that Sims' July 22 letter indicated that the lake
45 line could withstand a moderate earthquake in the 6.0 range.
46

47 True discussed the service area where a third treatment plant could be located and noted that a
48 site of 30-60 acres is needed. She said potential properties for siting the plant do not
49 necessarily have to be for sale.
50

1 In response to a question from Armanini, True said that operation and maintenance costs for
2 storage are less than for conveyance.
3

4 Herzog noted the importance of long-term planning to meet the infrastructure needs related to
5 growth in the North King-South Snohomish County area. True said the advantage of the third
6 treatment plant is the opportunity for partnership with utilities in South Snohomish County.
7

8 In response to questions from Gerdes, Triplett and True discussed aspects of the proposed
9 tunnel and siting of the proposed treatment and storage facilities.
10

11 Goss asked what assurances they can offer that properties and the lake will be protected from
12 overflows, and Carpenter said that the plan for storage protects the property owners.
13

14 True discussed the 1996-1997 storm events and the facilities that failed or were not able to
15 handle the event. She noted that the county is interested in solving the problem.
16

17 In response to a question from Armanini, Carpenter said the county is working with the City of
18 Seattle but assured her that the county wants to solve Lake Forest Park's problem.
19

20 True discussed the plan for monitoring devices on the flap gates of the lakeline and power and
21 power backup improvements for pump stations.
22

23 MacGilvra expressed concern that the council is being asked to consider a resolution based on
24 a document, the Executive's draft memorandum of agreement, that council has not seen.
25

26 Carpenter said important points included in the draft memorandum of agreement are a
27 \$500,000 investment by the county to protect the lakeline; up to \$1 million for monitoring
28 devices for the lakeline's flap gates; and enhanced storage. She said the draft memorandum of
29 agreement was provided to Mayor Hutchinson and noted that a legal agreement is proposed so
30 that the city is assured that these steps will be taken.
31

32 Kiest noted that monitoring devices on the flap gates and standby power would improve the
33 regional sewage disposal process and would be wise to do irrespective of politics.
34

35 True agreed with Kiest's remarks and indicated that the Executive has the ability to execute
36 contracts, and Sims would like the county council to agree to his plan.
37

38 Goss questioned what would happen if their proposal does not fix the problem, and Triplett said
39 the county would guarantee to fix the pipes. He said they can't guarantee against something
40 else going wrong.
41

42
43 A ten-minute recess was called for at 10:10 p.m.
44

45 The meeting was resumed at 10:23 p.m.
46
47
48
49

1 **CONSENT CALENDAR**

2
3 **Armanini moved** approval of the consent calendar. **MacGilvra seconded.**

- 4
5 1. July 22, 1999 Council Regular Meeting Minutes
6 2. August 12, 1999 Finance Committee Report covering Warrants Nos. 35791 through 35915
7 drawn from the Claims Clearing Fund in the amount of \$133,237.01 and Warrants No.
8 17622 through 17698 drawn from the Payroll Clearing Fund in the amount of \$131,330.72.
9

10 **Herzog moved to amend** the July 22, 1999 Council minutes on page 4, line 35 as follows:

11
12 “.....**MacGilvra seconded. The motion carried 4-2 (Aye—Herzog, Goss, Thompson,**
13 **Gerdes, MacGilvra; Nay—Goss, Herzog, Armanini).**”

14
15 **Armanini seconded. The motion to amend carried unanimously.**

16
17
18
19 **Armanini moved to amend** page 3, lines 2 and 3 as follows:

20
21 “...recent Seattle Times article on ~~King County~~ the opening celebration of the King County
22 Sheriff's gun range...”

23
24 **Herzog seconded. The motion to amend carried unanimously.**

25
26
27 **Goss moved to amend** page 7, line 44 as follows:

28
29 “...She noted that in other areas, citizens enjoy the protection of prior to annexation, the trail
30 was covered by the King County ordinance....”

31
32 **Armanini seconded. The motion to amend carried unanimously.**

33
34
35 **Gerdes moved to amend** page 7, line 28 as follows:

36
37 “...is being handled very vigorously.”

38
39 **Armanini seconded. The motion to amend carried unanimously.**

40
41
42 **The motion to approve the consent calendar as amended carried unanimously.**

43
44
45
46 **FIRST READING CALENDAR**

47 **Ordinance 794/Prohibiting Possession of Firearms in City Hall or Municipal Courtroom**

48
49 Kiest noted that State Senator and former city councilmember Darlene Fairley had said that
50 state law excluded the enactment of this policy to cover the council chambers. He requested

1 that the city attorney review the matter and provide information at the August 26 council
2 meeting.

3
4 In response to a question from Herzog, Ruark said this ordinance does not eliminate the right to
5 self-defense.

6
7 Ordinance 794 will advance to the August 26, 1999 council agenda on the second reading
8 calendar.

9
10
11 **Ordinance 795/Establishing Sanitary Sewer Connection Charges**

12
13 Jacobson said he believes there was consensus on the council regarding a connection charge
14 and a monthly maintenance fee when the draft sewer comprehensive plan update was
15 discussed. He said that a letter would be sent out to properties affected by this ordinance prior
16 to the September 9 council meeting.

17
18 In response to Gerdes regarding monthly maintenance fees, Jacobson said approximately 15-
19 20 properties would be affected and about 60 properties would be affected by the proposed
20 connection charge.

21
22
23 **Gerdes moved** to advance Ordinance 795/Establishing Sanitary Sewer Connection Charges to
24 the September 9, 1999 council meeting agenda for second reading.

25
26 **MacGilvra seconded. The motion carried unanimously.**

27
28
29
30 **Ordinance 797/Readopting Ordinance 752 Establishing Code Enforcement Procedures**

31
32 Ruark said this ordinance is simply adopting what was repealed in error. **Armanini moved** to
33 advance Ordinance 797/Readopting Ordinance 752 Establishing Code Enforcement Procedures
34 to second reading tonight. **Kiest seconded. The motion carried unanimously.**

35
36
37 **SECOND READING CALENDAR**

38 **Ordinance 788/Relating to Non-Conforming Signs and Providing for Amortization**

39
40 **Armanini moved** that Ordinance 788/Relating to Non-Conforming Signs and Providing for
41 Amortization remain on the second reading calendar for the August 26, 1999 agenda.

42 **Goss seconded. The motion carried unanimously.**

43
44
45 **Ordinance 790/1999 Budget Amendments**

46
47 **Armanini moved** that Ordinance 790/1999 Budget Amendments remain on the second reading
48 calendar for the August 26, 1999 agenda. **Gerdes seconded. The motion carried**
49 **unanimously.**

1
2 **Ordinance 797/Readopting Ordinance 752 Establishing Code Enforcement Procedures**

3
4 **Armanini moved** to advance Ordinance 797/Readopting Ordinance 752 Establishing Code
5 Enforcement Procedures to final action. **Herzog seconded. The motion carried**
6 **unanimously.**

7
8
9
10 **FINAL ACTION CALENDAR**

11 **Ordinance 797/Readopting Ordinance 752 Establishing Code Enforcement Procedures**

12
13 **Armanini moved to adopt** Ordinance 797/Readopting Ordinance 752 Establishing Code
14 Enforcement Procedures. **MacGilvra seconded. The motion to adopt carried unanimously.**

15
16
17 **NEW BUSINESS**

18 **Regional Wastewater Service Plan**

19
20 Hutchinson said he has studied the issues related to wastewater treatment options and
21 reviewed the report from ST Engineering. He said he drafted Resolution 562 with help from the
22 staff of the King County Executive's office for council review, and it can be discussed at the
23 August 19 study session.

24
25 In response to a question from Goss, Hutchinson said that County Councilmember Maggi Fimia
26 is not aware of his proposed resolution.

27
28 Hutchinson noted that the Kenmore city council has invited the King County Executive to attend
29 their August 30, 1999 meeting to address the questions raised by Gordon Gabrielson and Dick
30 Warren.

31
32 Kiest noted that the councilmembers do not have the 27-page draft agreement mentioned in the
33 resolution and just received the draft resolution at tonight's meeting.

34
35 Herzog said he would like some discussion now while the information provided in the County
36 Executive staff's presentation is fresh.

37
38 Kiest noted that there have been some failures in our jurisdiction that others have not
39 experienced and noted the pump station failure at Lake Ballinger in 1979 which sent raw
40 sewage down McAleer Creek, and the Kenmore pump station which was down for maintenance
41 then failed followed by a power backup failure. Kiest also noted that the King County
42 Executive's office indicated that the lakeline is designed to surcharge. He added that every
43 failure point of the system has actually failed and said that these experiences have colored his
44 thinking on this issue.

45
46 Herzog said he believes that there is merit in having as many options as possible such as a
47 second lakeline. He said he can be persuaded either way and said it is hard to pin down what
48 the costs for a solution will actually be.

1 Armanini said she appreciates that the mayor is looking out for the interests of Lake Forest
2 Park; however, she noted that the city is part of the region and does not operate in a vacuum.
3 She said there is pressure being placed on the city to focus solely on the needs of the city.
4

5 Gerdes questioned why the county executive is working without the county council and said she
6 believes that the information provided is not complete. Gerdes said it is curious that Lake
7 Forest Park and Kenmore are receiving so much attention from the county on this issue. She
8 said that she listened to Mr. Gabrielson's concerns and believes there are legitimate concerns
9 being raised regarding the storage option.
10

11 Goss said it is hard to make a decision on this matter, and councilmembers must rely on the
12 technical expertise represented in the proposed solutions. She noted Ms. True's remarks about
13 the role of Seattle in creating some of the sewer problems. Goss expressed concern that work
14 that was done in Seattle's section of the lines may be directly related to the backups in the
15 Sheridan Beach area.
16

17 MacGilvra said he is in agreement with what has been said by his colleagues and encouraged
18 everyone to attend the August 30, 1999 Kenmore City Council meeting.
19
20

21 Goss said that she will be absent from the August 26 council meeting and the August 30
22 meeting also.
23

24 **Gerdes moved to excuse** Cmbr. Goss from the August 26, 1999 council meeting. **Armanini**
25 **seconded. The motion carried unanimously.**
26
27

28 **Urban Forestry Committee Recommendations**

29

30 **Armanini moved** to direct the City Attorney to prepare an ordinance presenting the Urban
31 Forestry Committee's proposed recommendations in legislative form and that a public hearing
32 be scheduled for September 23, 1999.
33

34 **MacGilvra seconded. The motion carried unanimously.**
35
36
37

38 **Approval to Proceed with Teen Center Plans per Staff Memorandum**

39

40 Gerdes said the council needs to give more thought to the future of the teen center program.
41 She said more information is needed regarding the budget and programming for the center if it
42 is jointly funded by Lake Forest Park and Shoreline. Hutchinson noted that this proposal is a
43 continuation of the program operated by the YMCA.
44

45 MacGilvra said he supports more opportunities for cooperation with Shoreline through such
46 programs. He noted that young people need the recreational opportunities offered by the teen
47 program.
48

49 Armanini agreed with Cmbr. MacGilvra's comments but noted that the details should be worked
50 out regarding oversight of the program prior to a decision.

1
2 Herzog recalled the council's discussion of the teen center program during the budget process
3 last year. He expressed concern regarding subsidizing programs outside of the city boundaries.
4

5 Hutchinson said the council budgeted for one-half of the year with additional funding placed in
6 the council contingency fund.
7

8 Kiest said the Human Services Commission is in support of this program. He suggested that
9 this should be approved through 1999 to allow more transitional time. He said the 2000 budget
10 process will address support for the program.
11

12 Gerdes said she has always supported this program and expressed her interest in council
13 evaluation of the program during the budget cycle. She said that a survey has never been done
14 on whether the citizens want a teen center.
15

16 Hutchinson said more details on this issue will be presented at an upcoming council meeting.
17

18
19 **SCHEDULE**
20

21 Hutchinson reminded everyone of the 'Picnic in the Park' event August 13 through 15 and the
22 volunteer appreciation luncheon at Third Place Books on August 14.
23
24

25
26 **ADJOURNMENT**
27

28 There being no objection, the meeting was adjourned at 11:20 p.m.
29
30

31 _____
32 Susan Stine, City Clerk
33
34

35
36 **APPROVED:**
37
38

39 _____
40 David R. Hutchinson, Mayor

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