

CITY OF LAKE FOREST PARK
City Council Meeting Minutes
June 13, 2002

Councilmembers present: Alan Kiest, Carolyn Armanini, Dwight Thompson, Mary Jane Goss (7:18 p.m.), Nate Herzog, Roger Olstad, Ed Sterner (7:20 p.m.)

Staff present: David R. Hutchinson, Mayor; Douglas Jacobson, City Administrator; Michael Ruark, City Attorney; Dennis Peterson, Police Chief; Tema Nesoff, Human Services & Parks Administrator; Susan Stine, City Clerk; Evelyn Jahed, Deputy City Clerk

Others present: 93 visitors

CALL TO ORDER

Mayor Hutchinson called the regular meeting to order at 7 p.m. He noted that the first item on the agenda is an executive session for approximately 20 minutes for the discussion of real estate acquisition.

Executive Session

--Real estate acquisition

The meeting was recessed to executive session at 7:05 p.m. for discussion of real estate matters for approximately 20 minutes. Council members met in a second floor conference room.

The executive session for discussion of real estate acquisition was concluded at 7:25 p.m. A brief recess was called for while the council members reconvened in the council chambers.

At 7:32 p.m., Mayor Hutchinson welcomed visitors to the regular meeting of the Lake Forest Park city council. There was no objection to his recommendation that the agenda be re-ordered to begin with the presentation by Chief Peterson regarding the registered sex offender program. The presentation would be followed by citizen comments.

PRESENTATION

Information regarding Registered Sex Offenders/Chief Dennis Peterson

Hutchinson introduced State Senator Darlene Fairley, Representative Ruth Kagi and Representative Maralyn Chase and welcomed them to the meeting.

Hutchinson commented briefly on issues related to registered sex offenders living in the city. He noted that the city must comply with the law and receives no funding from the state.

1
2 Chief of Police Dennis Peterson reported that the city abides by the state law regarding the
3 monitoring of sex offenders. He explained the process used by the police department and
4 described the background check that is done on each sex offender residing in our city. He
5 noted that there are seven level 1 offenders, three level 2 offenders and one level 3 offender
6 registered in the city. He noted that the city has no level 4 offenders.

7
8 Peterson noted that state law requires that sex offenders register with the county. The county
9 receives 30 days' notice prior to a sex offender being released from incarceration. The county
10 in turn informs the city that a sex offender has registered and will be located in the city.

11
12 The police department is responsible for interviewing and photographing the registered sex
13 offender and locating the residence address provided. The police department assessment
14 includes review of the sex offender's file and the level of risk. This information is placed in a
15 book, which is kept by the police department. Citizens may review this book at the police
16 department.

17
18 He noted there is a map available to the public showing the block and street locations where
19 registered sex offenders reside as allowed by state statutes. Peterson noted that the
20 department performs random checks of the residences and interviews and photographs the
21 registered offenders at least annually.

22
23 Peterson noted that while 30 days' notice is required when a sex offender is released from
24 incarceration, only 24 hours' notice is required when a registered sex offender moves from one
25 address to another.

26
27 Peterson reviews the risk classification for sex offenders. He noted that a level 1 represents the
28 lowest risk to re-offend. He noted that a level 1 offender was most often known by the victim.
29 No community notification is required. (Council approved change 6/27/02)

30
31 A level 2 offender represents a moderate risk to the community and a greater risk to re-offend.
32 He noted that level 2 offenders get to know, or groom, their victims. Schools, day cares and
33 youth organizations are notified of a level 2 offender in the community.

34
35 A level 3 offender represents a high risk to re-offend. Victims in such crimes were most often
36 not known to the offender. Community notification includes bulletins distributed to neighboring
37 residences as well as notification of schools, day cares and youth organizations. (Council approved
38 changed 6/27/02)

39
40 Peterson noted that the police department is doing everything possible according to state law
41 regarding registered sex offenders living in the city. He invited citizens to call or visit the police
42 department for further information and to review the sex offender book kept by the department.

43
44
45 Jean Strathy, 4631 NE 201st St., said that a lot of citizens have questions and asked about the
46 \$50,000 that the flyer indicates the city is being paid. She expressed concern that the level 3
47 offender lives really close to the Horizon View Park.

1 Hutchinson noted that a meeting will be set specifically for this topic and asked that those who
2 want to be notified of that meeting to be sure to leave their name and address.

3
4 Dennis Brown, 19230 Forest Park Drive NE, identified himself as a corrections officer and
5 stated that 93 percent of developmentally disabled level 3 offenders re-offend. He noted that
6 the operator, Walsh & Associates, is a private company—not a state-run facility. He expressed
7 concern that the level 3 offender will be free to leave and monitoring will stop when his
8 treatment ends.

9
10 Peggy Broderick, 19700 40th PL NE, expressed her concern regarding her loss of personal
11 safety. She said that she feels that citizens have been betrayed and asked about the impact on
12 her rights as a citizen. She said she does not get a sense of commitment from the Lake Forest
13 Park political structure.

14
15 Oley Oliver, 4051 NE 197th St., said he has three daughters and is concerned that four sex
16 offenders live within one block of their house. He is outraged about this and agrees that he
17 feels a loss of personal safety. He expressed concern that there will be a negative impact on
18 property values and noted that sellers in good conscience would have to disclose the presence
19 of registered sex offenders in the neighborhood. He asked if the residence qualified as a
20 business and whether any zoning laws had been violated in the purchase of the property for this
21 purpose. He asked what the citizens could do to rid the neighborhood of these offenders.

22
23 Maureen Doyle, 4657 NE 203rd Ct., questioned the level of supervision that is required for the
24 level 3 offender. She asked if he has any community interaction, such as going to a movie, or
25 whether he is guarded 24 hours a day.

26
27 Tom Boyce, 20131 44th Ave NE, expressed concern that the city's legal newspaper is the
28 *Enterprise*, a paper that he does not read very often. He asked if there is a more effective way
29 of providing the community with important information in a timely manner.

30
31 Don Mierceski, 19717 40th Ct. NE, expressed his concern regarding the presence of a facility to
32 house sex offenders in his neighborhood. He discussed his recent garage sale and noted that
33 his family's safety is jeopardized, and he feels they are at risk in their own home.

34
35 Melody Johnson, 19876 47th Ave, NE, said that she lives across the street from Horizon View
36 Park. She asked if the city would post notices in the park of the presence of level 3 sex offender
37 in the neighborhood.

38
39 Sandy Parkins, 4024 NE 197th St., expressed her concern regarding the delay in notification of
40 the registered sex offender in her neighborhood. She said that she was upset because she
41 understood that notification was delayed because the police detective was on vacation.

42
43 Nick Quenell, 4043 NE 186th, asked if there were violations of the zoning code in the location of
44 the housing for sex offenders. He said that he understood that a separate meeting would be
45 scheduled regarding these issues and asked if that meeting could be scheduled tonight so that
46 all present would be informed.

47
48 Caitlin Doyle, 4657 NE 203rd Ct., expressed concern regarding the location of the residence for
49 sex offenders. She said that small children live in the neighborhood, and it is a wooded area.

1 She said her 14-year-old sister is concerned about her personal safety. She said she does not
2 think it's worthwhile to sacrifice the community for this business.
3

4
5 Anthea Hogan, 4414 NE 195th St., expressed concern that she had found out about this meeting
6 three days ago. She said she would like to know exactly what it means to have a
7 developmentally disabled level 3 sex offender living in a half-way house. She asked if he is
8 being re-integrated into the community and where he would be re-integrated. She asked if he
9 will continue living in a group home and if he will be free to go wherever he likes when he is out
10 of treatment. She asked if he moves out, will another level 3 offender move in to the residence.
11

12 Cnbr. Armanini asked if it would be possible to have a representative from the Department of
13 Social and Health Services at the next meeting to provide information regarding the program
14 from their perspective. Hutchinson said he would invite representatives from several agencies
15 to participate in the next meeting.
16

17 Kay Wittenberg, 19725 40th Ct. NE, expressed her concern regarding the lack of information
18 provided at the police department informational meeting. She said that she would like
19 information and answers to her questions.
20

21 Charlie Bright, 3010 NE 193rd, said the problem is that we have the right song, but the wrong
22 audience. He said that he understood that the city didn't make the law. He noted the presence
23 of the state legislators at the meeting and said that we should be talking with them about getting
24 the law changed.
25

26 Representative Ruth Kagi said this is one of the most difficult issues that the legislature deals
27 with because the federal government and our constitution say that certain rights must be
28 protected. Kagi discussed legislation passed last year that requires ~~that~~ an assessment after an
29 offender serves his term prior to release to the community. *(Council approved change 6/27/02)*
30

31 Tom Hensler, 18722 50th Ave NE, asked whether the business operating the facility was granted
32 a business license by the city. He asked if zoning laws could be changed by the city so that
33 such facilities are not allowed.
34

35 Sandy Jones, 19060 47th Pl. NE, expressed her concern regarding the lack of communication
36 regarding the registered sex offenders. She said that someone needs to consider protecting the
37 community.
38

39 Christine Oliver, 4051 NE 197th St., expressed her concern regarding the offender living in a
40 neighborhood with many children that is close to the school. She noted that the offender could
41 re-offend, and the rights of the whole community are suffering. She asked how citizens could
42 get this program out of the community.
43

44 Ben Howard, 20208 33rd Ave NE, said that Lake Forest Park is a very respected community,
45 and he would like to see it stay that way. He expressed his concern for his granddaughters and
46 distrust for the offenders and advocates for removal of the offenders from this house
47

1 Errol Howard, 20241 37th Ave. NE, expressed his concern regarding sex offenders moving into
2 the neighborhood. He said that the police force will have to be increased due to the need to
3 monitor sex offenders and expressed concern regarding increased taxes for this purpose.
4

5
6 Sarah Olson, 3936 NE 189th St., asked if there were other homes in the area that were used as
7 part of the sex offender program. She noted that she recently purchased her home and had no
8 idea that her house is one block away from the offender's residence.
9

10 Nigel Kieffer, 3022 NE 193rd, said he believes that the city is being used as a dumping ground.
11 He said that the city has some clout with the state legislators and will have to assume some
12 responsibility regarding this matter.
13

14 Carl Preston, 19820 47th Ave. NE, said he believes that the notification process is inadequate.
15 He wondered at what point do citizens take the law into their own hands to protect themselves.
16

17 Karen Howard, 16021 30th Ave. NE, asked that the next meeting be located in a space large
18 enough to accommodate everybody.
19

20
21 After some discussion, it was decided that the next *community* meeting regarding the registered
22 sex offender program would be held on July 9, 2002 at 7:00 p.m. Mayor Hutchinson asked
23 visitors to provide their name and address on the sign-in sheet so that they can be notified of
24 the meeting location and additional information can be provided. (Council approved change 6/27/02)
25

26
27 Cmbr. Thompson noted that citizens are welcome to submit questions in writing for a response
28 from the city.
29

30
31 A 10-minute recess was called for at 8:51 p.m.
32

33
34 The meeting was resumed at 9 p.m.
35

36 37 **PUBLIC HEARING**

38 ***Disbursement of 2003 Community Development Block Grant (CDBG) Funds as Pass-*** 39 ***through City***

40
41 Mayor Hutchinson opened the public hearing at 9:01 p.m. on the Disbursement of 2003
42 Community Development Block Grant (CDBG) Funds as Pass-Through City.
43

44 There being no comments, the public hearing was closed at 9:02 p.m.
45
46

1 **FLAG SALUTE**

2
3 Cmbr. Sterner led the council in the pledge of allegiance.
4
5
6
7

8
9 **LEGISLATIVE REPORT**

10 **State Representative Maralyn Chase**

11
12 Mayor Hutchinson recognized John Foy, 18456 40th Place NE, former Library Commission
13 member who in turn introduced the newest member of ~~the state~~ *our legislative delegation*,
14 Representative Maralyn Chase to council. Foy noted that Representative Chase was appointed
15 to fill the seat vacated by Carolyn Edmonds when she was elected to the Metropolitan King
16 County Council. *(Council approved change 6/27/02)*
17

18 Representative Chase noted that ~~the~~ *her* legislative report was distributed to the council earlier
19 in the meeting. She stated that she would like to work with council and is mindful of the
20 challenges that the city is facing. She noted the need for more revenue and noted that there is
21 a meeting on Friday, June 14, which she feels will be pivotal in this state for tax reform. For
22 those not able to attend that meeting, information will be available on the web. She noted some
23 issues of concern to the city which include annexation, education, backfill monies, and
24 protection of the environment. *(Council approved change 6/27/02)*
25

26
27 **ADOPTION OF AGENDA**

28
29 Cmbr. Thompson requested to add a new item under second reading calendar, Authorizing the
30 Mayor to Sign the Purchase and Sale Agreement for the Petrie and Hill Properties.
31

32 There being no objection, the agenda was adopted as amended.
33

34
35 **CITIZEN COMMENTS**

36
37 Ros Bird, 16061 36th Ave. NE, officially invited the council and the mayor to the Shoreline Arts
38 Festival June 29-30 and distributed flyers regarding various events.
39

40
41 **CONFIRMATION REVIEW CALENDAR**

42 ***Rick Stendera, Human Services Commission, Position 4, term ending 3/31/2005***

43
44 Mayor Hutchinson introduced Rick Stendera, his nominee for the Human Services Commission,
45 Position 4, term ending 3/31/2005. Stendera said he welcomes the opportunity to serve the
46 community as a member of the Human Services Commission and to participate with the City of
47 Lake Forest Park in responding to challenges that it faces.
48

1 Council thanked Mr. Stendera for volunteering and Hutchinson noted that final confirmation
2 would be scheduled for the June 27, 2002 regular council meeting.
3
4

5 **FINAL CONFIRMATION CALENDAR**

6 ***Terri Thierry, Public Safety Commission, Position 4, term ending 3/31/2004***
7 ***Marybeth Davis, Parks & Recreation Commission, Position 2, term ending 3/31/2004***
8 ***Gordon Snyder, Environmental Quality Commission, Position 5, term ending 3/31/2005***
9 ***Cathy Martin, Environmental Quality Commission, Position 7, term ending 3/31/2003***
10 ***Steven Hanegan, Parks & Recreation Commission, Position 5, term ending 3/31/2005***

11
12 **Cmbr. Thompson moved** to confirm the following nominees:
13

14 Terri Thierry, Public Safety Commission, Position 4, term ending 3/31/2004
15 Marybeth Davis, Parks & Recreation Commission, Position 2, term ending 3/31/2004
16 Gordon Snyder, Environmental Quality Commission, Position 5, term ending 3/31/2005
17 Cathy Martin, Environmental Quality Commission, Position 7, term ending 3/31/2003
18 Steven Hanegan, Parks & Recreation Commission, Position 5, term ending 3/31/2005
19

20 **Armanini seconded. The motion carried unanimously.**
21
22

23 Cmbr. Armanini requested that item 2 on the first reading calendar, Resolution 707/Authorizing
24 Transfer of Ownership from AT&T to AT&T Comcast be taken out of order since cable
25 consultant Lon Hurd is present to brief the council on this issue.
26
27

28 **FIRST READING CALENDAR**

29 **Resolution 707/Consenting to Change in Control TCI Cablevision of Washington, Inc.**
30

31 Lon Hurd, 3H Cable Communications Consultants, discussed terms of the franchise and issues
32 related to the transfer of ownership. He discussed the city's role and responsibility in this
33 process.
34

35 There was no objection to advancing 707/Consenting to Change in Control TCI Cablevision of
36 Washington, Inc. to the second reading calendar at the June 27, 2002 regular council meeting.
37
38

39 **CONSENT CALENDAR**
40

41 **Thompson moved** to approve the consent calendar. **Herzog seconded.**
42

43 Armanini requested that items 1, 3, 6 and 7 be pulled from the consent calendar.

- 44 1. May 16, 2002 Council Study Session Minutes
- 45 3. June 13, 2002 Finance Committee Report covering warrants no. 41591 through 41688 in
46 the amount of \$351,526.23 drawn from the claims clearing fund and warrants no. 22685
47 through 22768 in the amount of \$167,397.43 drawn from the payroll fund.
- 48 6. Authorize Letter to King County Transit regarding SR 522 Transit Lane Usage
- 49 7. Authorize Letter to Seattle City Light regarding Funding of Street Lights

1
2 **Armanini moved** to amend the May 16, 2002 council study session minutes as follows:

3
4 Page 3, line 4: "...with Kenmore ~~could~~ should be considered."
5

6 **Herzog seconded. The motion to amend carried unanimously.**
7

8 Armanini noted that the council had approved payment of a specific warrant number at the May
9 23, 2002 council meeting. The finance committee report shows that another warrant, No.
10 41591, has been drawn for CR2 Partnership in the same amount. City Administrator Doug
11 Jacobson noted that this new warrant had been issued because the previous warrant had been
12 voided and the date on the previous warrant had expired.

13
14 With regard to the letter to Seattle City Light regarding Funding of Street Lights, she requested
15 that ~~of~~or in the last paragraph of the letter be corrected prior to the letter being sent out.
16

17 Regarding the letter to King County Transit regarding SR 522 Transit Lane Usage, Armanini
18 said her recollection was that we had authorized a six-month pilot program to see if there were
19 any problems with 24-hour-a-day transit lane operation. She said that the letter should be held
20 and the community given an opportunity to comment regarding the increased transit lane usage.
21 Armanini suggested that comments be solicited through the newsletter.
22

23 Herzog asked if there was any feedback on this pilot program, and Jacobson indicated that he
24 has received none from King County Transit or from residents. He suggested adding a
25 paragraph in the Town Crier to solicit input from residents on this pilot program.
26

27 **The motion to approve the amended consent calendar as follows carried unanimously:**
28

- 29 1. May 16, 2002 Council Study Session Minutes
- 30 2. May 23, 2002 Council Regular Meeting Minutes
- 31 3. June 13, 2002 Finance Committee Report covering warrants no. 41591 through 41688 in
32 the amount of \$351,526.23 drawn from the claims clearing fund and warrants no. 22685
33 through 22768 in the amount of \$167,397.43 drawn from the payroll fund.
- 34 4. Authorize Disbursement of 2003 Community Development Block Grant (CDBG) Funds as
35 Pass-through City
- 36 5. Authorize Advertisement for Bids/Animal Acres Park Phase 2
- 37 6. Authorize Letter to Seattle City Light regarding Funding of Street Lights
38
39
40
41

42 **FIRST READING CALENDAR**

43 ***Resolution 706/Naming of Lyon Creek Waterfront Property***

44

45 Human Services & Parks Administrator Tema Nesoff stated that the Parks and Recreation
46 Commission had recommended that Lyon Creek Waterfront Property be named the Lyon Creek
47 Waterfront Preserve. She noted that the recommended name is more in keeping with the
48 master plan for the property.
49

1 In response to comments from the council, Hutchinson said that Resolution 706 will be held so
2 that comments from citizens can be solicited regarding the name change.
3
4

5 ***Resolution 708/Authorizing Mayor to Sign Professional Services Agreement with The***
6 ***Watershed Company for Waterworks Grant Study***
7

8 With the consent of the council, Resolution 708/Authorizing Mayor to Sign Professional Services
9 Agreement with the Watershed Company for Waterworks Grant Study was advanced to second
10 reading calendar.
11

12
13 **SECOND READING CALENDAR**

14 ***Resolution 705/Authorizing Mayor to Sign Interlocal Agreement with City of Renton for***
15 ***Holding Facilities***
16

17 ***Olstad moved*** to adopt Resolution 705/Authorizing Mayor to Sign Interlocal Agreement with
18 City of Renton for Holding Facilities.
19

20 ***Kiest seconded.***
21

22 In response to a question from Kiest, Jacobson discussed issues related to the proposed
23 contract for jail services with King County.
24

25 ***The motion carried unanimously.***
26
27

28 ***Ordinance 874/Amending LFPMC Chapter 16.18 Authorizing Variances to the City's***
29 ***Sensitive Areas Development Regulations and Establishing Criteria for Such Variances***
30

31 ***Armanini moved*** to carry over Ordinance 874/Amending LFPMC Chapter 16.18 Authorizing
32 Variances to the City's Sensitive Areas Development Regulations and Establishing Criteria for
33 Such Variances to second reading at the June 27, 2002 regular council meeting. ***Olstad***
34 ***seconded. The motion carried unanimously.***
35

36 Aviva Leonard, 17124 Hillside Dr. NE, discussed features of her property and their plans to build
37 a house there. She expressed her support of the proposed ordinance.
38
39

40 ***Resolution 706/Naming of Lyon Creek Waterfront Property***
41

42 ***Thompson moved*** to hold over Resolution 706/Naming of Lyon Creek Waterfront Property
43 second reading calendar at the July 11, 2002 regular council meeting.
44

45 ***Herzog seconded. The motion carried unanimously.***
46
47

48 ***Resolution 708/Authorizing Mayor to Sign Professional Services Agreement with The***
49 ***Watershed Company for Waterworks Grant Study***

1 **Herzog moved** to adopt Resolution 708/ Authorizing Mayor to Sign Professional Services
2 Agreement with The Watershed Company for Waterworks Grant Study. **Armanini seconded.**
3 **The motion carried unanimously.**
4
5

6 ***Authorize Letter to King County Wastewater Treatment Division regarding Brightwater***
7 ***Environmental Impact Statement (EIS) Scoping***
8

9 Doug Jacobson noted omissions that were brought to his attention by King County Wastewater
10 Treatment Division representatives on Maps C and D.

11
12 Jacobson said that comment letters are due June 27, 2002 by 5 p.m. Therefore, it must be
13 completed prior to the next council meeting.

14
15 Discussion followed on issues that may be included in the letter including Lyon Creek crossings
16 of Ballinger Way, the Ballinger Way right-of-way location, air quality issues, rerouting non-
17 motorized transportation on Ballinger Way, and plans for undergrounding utilities and replacing
18 culverts. Jacobson said that he would make the suggested changes and distribute it again to the
19 council for final approval prior to mailing.
20

21 **Olstad moved** to authorize the mayor to sign the letter to King County Wastewater Treatment
22 Division regarding Brightwater Environmental Impact Statement (EIS) Scoping as amended.
23 **Sterner seconded. The motion carried unanimously.**
24

25
26 ***Authorizing the Mayor to Sign the Purchase and Sale Agreement for the Petrie and Hill***
27 ***Properties.***
28

29 **Thompson moved** to accept the counter offer on the Hill property in the amount of \$425,000.
30

31 **Armanini seconded.**
32

33 Kiest expressed his support of the counter offer, which places a premium value on the
34 acquisition of the properties at the same time. He expressed his appreciation for funding
35 supplied by the state and the county for this project, and he recognized the highly skilled
36 volunteer labor involved in the project.
37

38 **Armanini seconded. The motion carried unanimously.** (Council approved change 6/27/02)
39
40

41 **Thompson moved** to authorize the mayor to sign the purchase and sale agreements for the
42 property commonly known as the Hill property and the property commonly known as the Petrie
43 property as amended and as discussed by council, with the Hill property purchase price in the
44 amount of \$425,000 and the Petrie property purchase price in the amount of \$275,000 as
45 presented to the council.
46

47 **Armanini seconded. The motion carried unanimously.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

NEW BUSINESS
Reports

Armanini reported on the discussion of the proposed transportation district package that is being developed by Pierce, King and Snohomish Counties at the Suburban Cities Association meeting Herzog reported on the regional transportation investment district (RTID) and the various proposals associated with these projects.

Goss mentioned that the topic of sub-area equity was also discussed at this meeting.

Hutchinson reported on issues discussed at the Regional Policy Board meeting and noted Kiest's leadership in human services issues.

Hutchinson noted that housing targets for the region were also discussed. Herzog requested that a briefing on housing targets be scheduled for a future council meeting.

New topics for discussion
--Recommendations for SR 522 Transit Improvements

Jacobson noted that former Councilmember Peggy Gerdes will be contacted regarding a letter listing recommendations for SR 522 improvements. This item will be placed on a future agenda.

ADJOURNMENT

There being no objection, the meeting was adjourned at 10:22 p.m.

Susan Stine, City Clerk

APPROVED:

David R. Hutchinson, Mayor