

**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
December 5, 2002**

Councilmembers present: Alan Kiest, Carolyn Armanini, Mary Jane Goss (7:47 p.m.), Nate Herzog, Roger Olstad, Ed Sterner (7:39 p.m.)

Council member excused: Dwight Thompson

Staff present: David R. Hutchinson, Mayor; Michael Ruark, City Attorney; Dennis Peterson, Police Chief; Frank Zenk, Director of Public Services; Sarah Phillips, Government & Community Relations Manager; John Hawley, Finance Director; Susan Stine, City Clerk

Others present: 10 visitors

CALL TO ORDER

Mayor Hutchinson called the meeting to order at 7:35 p.m.

FLAG SALUTE

Cmbr. Herzog led the council in the pledge of allegiance.

PUBLIC HEARING (continued)

Ordinance 885/Adopting 2003 Budget

Mayor Hutchinson noted that the public hearing on Ordinance 885/Adopting 2003 Budget had been continued from the November 21, 2002 meeting. He requested that speakers sign in and limit comments to three minutes.

Florence Wright, 19207 40th Pl. NE, expressed her support for the programs and activities offered at Third Place Commons. She requested that the city continue to provide funding in support of the Commons.

Beth Hale, 17814 29th Ave. NE, expressed her support for the Arts Council and requested that the city provide more funding for the arts in the community.

Kate Lunceford, 1527 232nd Pl. SW, Bothell, said that she is a volunteer with Friends of Third Place Commons and urged the council to continue to provide funding in support of the Commons.

Carol Dahl, 14828 39th Ave. NE, expressed her support for Third Place Commons and the Arts Council. She requested that the Arts Council be supported at the 2002 level.

There being no further comments, the public hearing on Ordinance 885/Adopting 2003 Budget was closed at 7:50 p.m.

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
43
44
45
46
47
48
49
50

MAYOR'S REPORT

Hutchinson reported on a recent meeting of the YMCA Board at which location criteria and possible building locations were discussed.

CONSENT CALENDAR

Cmbr. Armanini moved adoption of the consent calendar as follows:

- 1) November 21, 2002 Council Meeting Minutes

Cmbr. Goss seconded. The motion carried unanimously.

FIRST READING CALENDAR

- Resolution 755/Authorizing Mayor to Sign Employment Agreement for City Administrator**
- Resolution 756/Establishing *Seattle Times* as Official Newspaper for Ordinance 889**
- Resolution 757/Establishing Adjustments to Drainage Utility Assessments**
- Resolution 758/Authorizing Mayor to Sign Letter Regarding Expansion of Organics Pilot**

Armanini moved the following first reading calendar items to the second reading calendar on the agenda:

- 1. Resolution 755/Authorizing Mayor to Sign Employment Agreement for City Administrator
- 2. Resolution 756/Establishing *Seattle Times* as Official Newspaper for Ordinance 889
- 3. Resolution 757/Establishing Adjustments to Drainage Utility Assessments
- 4. Resolution 758/Authorizing Mayor to Sign Letter Regarding Expansion of Organics Pilot

Goss seconded. The motion carried unanimously.

SECOND READING CALENDAR

- Resolution 754/Authorizing Mayor to Sign Agreement with Ronald Wastewater for Assumption of Portion of District**

Finance Director John Hawley said that the draft agreement was distributed for council review. He noted that the final version of the agreement will be available prior to the next meeting, and adoption is scheduled for December 12, 2002.

In response to questions from council members, Hawley discussed communication with citizens regarding the assumption.

Hutchinson noted that a proposal for a low-income senior discount program is being discussed, and Hawley said that a plan would be presented for council consideration in January 2003.

1 **Ordinance 889/Approving Financing Option for Assumption of Portion of Ronald**
2 **Wastewater District**

3
4 Hawley introduced Bill Tonkin of Foster Pepper & Shefelman, the city's bond counsel, and
5 financial consultant Steve Gaidos. He noted that Ordinance 889/Approving Financing Option for
6 Assumption of Portion of Ronald Wastewater District is scheduled for approval, and Tonkin and
7 Gaidos are available to respond to any questions.

8
9 In response to questions from Cmbr. Kiest, Gaidos discussed issues related to bond rating and
10 a formula for indebtedness.

11
12 **Kiest moved** to advance Ordinance 889/Approving Financing Option for Assumption of Portion
13 of Ronald Wastewater District to final action calendar and to take final action on Ordinance 889
14 next on the agenda.

15
16
17 **FINAL ACTION CALENDAR**

18 **Ordinance 889/Approving Financing Option for Assumption of Portion of Ronald**
19 **Wastewater District**

20
21 **Kiest moved** adoption of Ordinance 889/Approving Financing Option for Assumption of Portion
22 of Ronald Wastewater District.

23
24 **Armanini seconded. The motion carried unanimously.**

25
26
27 **SECOND READING CALENDAR**

28 **Resolution 756/Establishing *Seattle Times* as Official Newspaper for Ordinance 889**

29
30 **Kiest moved** adoption of Resolution 756/Establishing *Seattle Times* as Official Newspaper for
31 Ordinance 889.

32
33 **Armanini seconded. The motion carried unanimously.**

34
35
36 **Ordinance 891/Ronald Wastewater Assumption 2002 Budget Amendment**

37
38 In response to a question from Armanini, Hawley said that language had been added to the
39 ordinance regarding adoption by a majority plus one of the council, which is required for budget
40 amendments.

41
42 **Armanini moved** that Ordinance 891/Ronald Wastewater Assumption 2002 Budget
43 Amendment is replaced with the copy of Ordinance 891 presented with the December 5, 2002
44 meeting packet. **Olstad seconded. The motion carried unanimously.**

45
46 Hawley noted that Ordinance 891/Ronald Wastewater Assumption 2002 Budget Amendment is
47 on the final action calendar and requires adoption at this meeting.

48
49 There being no further discussion or amendments, the council had no objection to the
50 placement of Ordinance 891/Ronald Wastewater Assumption 2002 Budget Amendment on the
51 final action calendar as amended.

1
2 **Resolution 755/Authorizing Mayor to Sign Employment Agreement for City Administrator**

3
4 Armanini noted that she had questions about paragraphs regarding vacations and sick leave in
5 the proposed employment agreement.
6

7
8 A 10-minute recess was called for at 8:22 p.m.
9

10 The meeting was resumed at 8:42 p.m.
11

12
13 **Armanini moved** to amend the employment agreement attached to Resolution 755/Authorizing
14 Mayor to Sign Employment Agreement for City Administrator as follows:
15

16 Page 2, line 8 (Paragraph 4.1) "...annual leave per year commencing on the one-year
17 anniversary date of her employment."
18

19 **Herzog seconded. The motion to amend carried unanimously.**
20

21
22 **Armanini moved** to amend the employment agreement as follows:
23

24 Page 2, line 13 (Paragraph 4.2): "...one day per month commencing after five months of
25 employment."
26

27 **Goss seconded. The motion carried unanimously.**
28

29
30 **Armanini moved** to amend the employment agreement as follows:
31

32 Page 2, line 35: "~~4.7 Administrative Leave: The Employee may take up to 12 days per year~~
33 ~~administrative leave as approved by the Mayor.~~"
34

35 **Herzog seconded.**
36

37 Following discussion, **the motion carried unanimously.**
38

39 **Armanini moved** to amend the employment agreement as follows:
40

41 Page 3, line 9: "...the Mayor shall give Employee ~~ninety~~ thirty days written notice of
42 termination."
43

44 **Herzog seconded. The motion carried unanimously.**
45

46 **Armanini moved** to amend the employment agreement as follows:
47

48 Page 3, line 36: "...not been able to perform her duties for ~~six (6)~~ three (3) consecutive
49 months."
50

51 **Goss seconded.** Following discussion, **the motion carried unanimously.**

1
2 In response to a comment from Cmb. Sterner, City Attorney Ruark suggested an amendment
3 for clarification at paragraph 7.4.

4
5 **Armanini moved** to amend the employment agreement as follows:

6
7 Page 3, line 22: "In the event of involuntary termination without cause after six months of
8 employment but before one complete year of service, the Employee shall earn and be credited
9 for three (3) months of severance pay ~~following completion of six months of service and prior to~~
10 ~~one complete year of service.~~"

11
12 **Goss seconded. The motion carried unanimously.**

13
14 **Herzog moved** to amend the employment agreement as follows:

15
16 Page 2, line 27: "The City shall pay the professional dues in WCMA, ~~WRPERLA AND ICMA.~~"

17
18 **Armanini seconded.** Following discussion, **the motion carried unanimously.**

19
20 **Armanini moved** adoption of Resolution 755/Authorizing Mayor to Sign Employment
21 Agreement for City Administrator. **Goss seconded.**

22
23 Following discussion, **the maker and seconder withdrew the motion to adopt.**

24
25
26 A 10-minute recess was called for at 9:08 p.m.

27
28 The meeting was resumed at 9:38 p.m.

29
30
31 At the request of council, Resolution 758/Authorizing Mayor to Sign Letter Regarding Expansion
32 of Organics Pilot was taken out of order.

33
34 **Resolution 758/Authorizing Mayor to Sign Letter Regarding Expansion of Organics Pilot**

35
36 Government and Community Affairs Manager Sarah Phillips introduced Josh Marx of King
37 County Solid Waste Division, Jeff Brown of Sound Resource Management Group, Inc. and Wes
38 Smith of Rabanco. Phillips discussed the proposed service improvements and the proposed
39 expansion of the organics pilot program to include one complete collection route in the city. She
40 noted that the current pilot covers one-half of the same route. Phillips said that it is not likely
41 that a rate reduction would be associated with food waste recycling; however, the information
42 gained from the pilot may aid in holding costs down at the time of contract renewal.

43
44 Armanini noted that it was her understanding when the program was implemented that the pilot
45 was being done for the city, and she expressed her concern regarding the amount of staff time it
46 is requiring.

47
48 Brown said that he and other staff members are the first line for responding to customers'
49 questions, but he refers some callers to Phillips who want to talk to a city representative.

1 In response to a question from Armanini, Phillips said some of her activities are related to
2 franchise management and preparation for negotiating the next garbage contract.

3
4 Goss expressed her concern regarding the imposition of the pilot program on citizens with no
5 reduction in rates or other benefit.

6
7 Marx noted that the pilot is a learning period, and the county has provided a significant portion
8 of the funding for the project.

9
10 Sterner suggested that a letter be sent to pilot participants to ask if they would be interested in
11 continuing in the expanded pilot.

12
13 In response to a question from Olstad regarding what additional information is being sought by
14 continuing and expanding the pilot program, Brown said food waste collection is difficult, and
15 their pilot was studying if organics collection could work in an every other week schedule. (Council
16 approved 12/12/02)

17
18 Brown and Smith discussed changes to equipment and collection schedules to improve the pilot
19 program.

20
21 Council members agreed with Sterner's request that a letter be sent to participants to ask if they
22 are willing to continue in the study.

23 24 25 **Resolution 755/Authorizing Mayor to Sign Employment Agreement for City Administrator**

26
27 City Attorney Mike Ruark reviewed proposed language changes for the employment agreement.

28
29 **Armanini moved** to amend the employment agreement as follows:

30
31 Page 3, line 9: "...the Mayor shall give Employee ~~thirty (30)~~ sixty (60) days written notice of
32 termination."

33
34 Page 3, lines 22-24: "~~In the event of involuntary termination without cause after six months of~~
35 ~~employment but before one complete year of service, the Employee shall earn and be credited~~
36 ~~for three (3) months of severance pay.~~"

37
38 **Olstad seconded. The motion carried unanimously.**

39
40
41 **Olstad moved** to amend the employment agreement as follows:

42
43 Page 2, lines 8-11: "4.1 Vacations and Holidays: ~~Employee shall accrue 3 weeks of annual~~
44 ~~leave per year, commencing on the one-year anniversary of her employment. Employee shall~~
45 ~~be authorized holidays and one personal day as specified in the job announcement. Employee~~
46 ~~will begin employment with a balance of three (3) weeks of vacation~~ Employee will begin
47 employment with a balance of three (3) weeks vacation for 2003 that cannot be carried forward
48 into 2004. In addition, Employee will accrue three (3) weeks of vacation for the year 2004;
49 provided that, Employee may only take one and one-half weeks of vacation between January 1,
50 2004 and June 30, 2004. If the Employee's contract is renewed the remaining one and one-half

1 weeks will be carried forward into the period July 1, 2004 through December 31, 2004. If the
2 contract is not renewed Employee shall not be paid for any accrued vacation."

3
4 **Armanini seconded. The motion carried unanimously.**

5
6
7 **Armanini moved** adoption of Resolution 755/Authorizing Mayor to Sign Employment
8 Agreement for City Administrator. **Goss seconded. The motion carried unanimously.**

9
10
11 **Resolution 757/Establishing Adjustments to Drainage Utility Assessments**

12
13 Hawley informed the council that the county has indicated that notification was not received
14 regarding the 1999 utility assessment increase. He noted that the proposed resolution would
15 establish an increase to the drainage utility fee.

16
17 Following discussion, **Armanini moved** to direct city staff members to implement the previously
18 approved increase and to contact King County to implement collection of the fee.

19
20 **Goss seconded. The motion carried unanimously.**

21
22 **Kiest moved** to table Resolution 757/Establishing Adjustments to Drainage Utility
23 Assessments. **Sterner seconded. The motion carried unanimously.**

24
25
26 **Resolution 755/Authorizing Mayor to Sign Employment Agreement for City Administrator**

27
28 Ruark recommended additional language to be added to the employment agreement.

29
30 **Sterner moved** for reconsideration of Resolution 755/Authorizing Mayor to Sign Employment
31 Agreement for City Administrator. **Armanini seconded. The motion carried unanimously.**

32
33
34 **Sterner moved** to amend the employment agreement as follows:

35
36 Page 3, line 7: "...without assigning a reason. Except as otherwise provided for herein,
37 Termination shall not affect...." **Armanini seconded. The motion carried unanimously.**

38
39
40 **Armanini moved** to adopt Resolution 755/Authorizing Mayor to Sign Employment Agreement
41 for City Administrator as amended. **Olstad seconded. The motion carried unanimously.**

42
43
44 **Ordinance 888/Authorizing Natural Gas Utility Tax Increase**

45
46 The council had no objection to the placement of Ordinance 888/Authorizing Natural Gas Utility
47 Tax Increase on the final action calendar.

48
49 **Ordinance 890/Inflow and Infiltration Fund 2002 Budget Amendment**

1 The council had no objection to the placement of Ordinance 890/Inflow and Infiltration Fund
2 2002 Budget Amendment on the final action calendar.

3
4
5 **Ordinance 885/Adopting 2003 Budget**

6
7 Council members noted that further discussion of the proposed amendments to the 2003 budget
8 would be scheduled for the December 12, 2002 meeting.

9
10
11 Discussion followed regarding the schedule for Ordinance 883/Requiring Helmet Use when
12 Operating Bicycles, Skateboards, Roller Skates and Scooters.

13
14
15 **FINAL ACTION CALENDAR**

16 **Ordinance 891/Ronald Wastewater Assumption 2002 Budget Amendment**

17
18 **Armanini moved** adoption of Ordinance 891/Ronald Wastewater Assumption 2002 Budget
19 Amendment. **Kiest seconded. The motion carried unanimously.**

20
21
22 **Ordinance 888/Authorizing Natural Gas Utility Tax Increase**

23
24 **Kiest moved** adoption of Ordinance 888/Authorizing Natural Gas Utility Tax Increase. **Herzog**
25 **seconded. The motion carried unanimously.**

26
27
28 **Ordinance 890/Inflow and Infiltration Fund 2002 Budget Amendment**

29
30 **Kiest moved** adoption of Ordinance 890/Inflow and Infiltration Fund 2002 Budget Amendment.
31 **Herzog seconded. The motion carried unanimously.**

32
33
34 **NEW BUSINESS**

35
36 **Herzog moved** to excuse Cmbr. Thompson's absence from the meeting. **Goss seconded.**
37 **The motion carried unanimously.**

38
39
40 **ADJOURNMENT**

41
42 There being no objection, the meeting was adjourned at 10:25 p.m.

43
44
45 _____
46 Susan Stine, City Clerk

47
48
49 _____
50 David R. Hutchinson, Mayor