

**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
March 27, 2003**

Councilmembers present: Alan Kiest, Carolyn Armanini, Dwight Thompson, Mary Jane Goss, Nate Herzog, Roger Olstad, Ed Sterner

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

Others present: 23 visitors

CALL TO ORDER

Mayor Hutchinson called the regular meeting to order at 7:32 p.m.

FLAG SALUTE

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

MAYOR'S REPORT

Hutchinson reported on the memorial service for former Chief of Police Clifford Perkins, who died March 2, 2003.

Hutchinson introduced city engineer, Neil Jensen, who will begin work on April 1, 2003. He also reported on various meetings and issues of interest.

ADOPTION OF AGENDA

Hutchinson requested to hold over confirmation review of Planning Commission nominees Linda Owens and Jeff Foster. He requested the addition of commission appointments under new topics of discussion.

Cmbr. Armanini moved to adopt the agenda as amended. **Cmbr. Goss seconded. The motion carried unanimously.**

CITIZEN COMMENTS

Jim Adams, 4616 NE 174th Place NE, commented on the land clearing and grading permit issued by the city to install a new asphalt driveway at a neighboring property. He expressed his concerns with the process and issuance of the permit and requested that the city revoke the permit.

1
2 Steve Danishek, 4626NE 174th Place NE, also expressed his concern regarding the issuance of
3 this permit and concurred with Mr. Adams' comments.
4

5 Council members requested that staff members provide additional information regarding the
6 permit, the posting requirements and comment period and whether the regulations regarding the
7 process should be reviewed.
8
9

10 Howard Bendtsen, 3604 NE 155th Street, spoke in support of the proposed senior housing
11 zoning overlay.
12

13 Mick James, 3518 NE 147th Street, expressed his concern regarding the proposed senior
14 housing zoning overlay and his interest in preserving the character and integrity of the single-
15 family residential neighborhood.
16

17 Howard Rose, 3550 NE 147th Street, commented on the proposed senior housing zoning
18 overlay and emphasized the importance of proper planning. He asked why the city is
19 considering a zoning overlay and noted that any proposal should include transitions between
20 zoning designations.
21

22 John Fry, 13539 39th Avenue NE, said he is a member of the Lake City Elks and in charge of
23 the charitable programs sponsored by the Elks. He encouraged the council to support the
24 proposal for senior housing.
25

26 Ray Holmdahl, 14531 37th Avenue NE, spoke against the proposed senior housing zoning
27 overlay and added that he is not against the idea of senior housing but is opposed to the zoning
28 overlay.
29
30

31 **FINAL CONFIRMATION CALENDAR**

32 **Karen Sluiter, Human Services Commission, Position 2, term ending 3/31/04**

33 **Judith Mackenzie, Human Services Commission, Position 5, term ending 3/31/05**

34 **Deborah Weidenbacher, Human Services Commission, Position 8, term ending 3/31/06**
35

36 **Cmbr. Herzog moved** to confirm the following:
37

38 Karen Sluiter, Human Services Commission, Position 2, term ending 3/31/04

39 Judith Mackenzie, Human Services Commission, Position 5, term ending 3/31/05

40 Deborah Weidenbacher, Human Services Commission, Position 8, term ending 3/31/06
41

42 **Cmbr. Kiest seconded. The motion carried unanimously.**
43
44

45 **Cmbr. Thompson moved** that the following individuals be exempted from appearing before the
46 council for confirmation review for reappointment:
47

1
2 **REAPPOINTMENTS TO COMMISSIONS**

3
4 Economic Development Commission

5 Rick Bungay, Position 7
6 Julie Krick, Position 8
7 Tim Davis, Position 9

Parks and Recreation Commission

Florence Wright, Position 7
Tom Kellock, Position 8

8
9 Human Services Commission

10 Cassie Undlin, Position 7
11 Henry Mustin, Position 9

Planning Commission

Joseph Hauth, Position 9

12
13 Public Safety Commission

14 Margaret Marshall, Position 7
15 Charles Heffernan, Position 8

16
17 **Cmbr. Armanini seconded. The motion carried unanimously.**

18
19
20 **Thompson moved** to confirm the reappointments as follows:

21
22 Economic Development Commission

23 Rick Bungay, Position 7
24 Julie Krick, Position 8
25 Tim Davis, Position 9

Parks and Recreation Commission

Florence Wright, Position 7
Tom Kellock, Position 8

26
27 Human Services Commission

28 Cassie Undlin, Position 7
29 Henry Mustin, Position 9

Planning Commission

Joseph Hauth, Position 9

30
31 Public Safety Commission

32 Margaret Marshall, Position 7
33 Charles Heffernan, Position 8

34
35 **Armanini seconded. The motion carried unanimously.**

36
37
38 **CONSENT CALENDAR**

39
40 **Thompson moved** to approve the consent calendar as follows:

- 41
42 1. March 13, 2003 Council Study Session Minutes
43 2. March 13, 2003 Council Regular Meeting Minutes
44 3. March 27, 2003 finance committee report covering warrant nos. 43244 through 43323 in the
45 amount of \$123,199.45 drawn from the claims clearing fund and warrant nos. 24207 through
46 24278 in the amount of \$133,686.46 drawn from the payroll clearing fund and automatic
47 withdrawal fee for monthly bank service fees from checking account in the amount of
48 \$569.23.

49
50 **Armanini seconded.**

1 Armanini requested to pull the March 13, 2003 study session minutes and the March 13, 2003
2 regular meeting minutes from the consent calendar.

3
4 **Armanini moved** to amend the March 13, 2003 study session minutes as follows:

5
6 Page 2, line 6: “...and proposed a joint meeting with the Planning Commission.”

7
8 **Herzog seconded. The motion carried unanimously.**

9
10
11 **Armanini moved** to amend as follows:

12
13 Page 2, line 39: “... and that the survey be distributed to some former as well as to current
14 commissioners.”

15
16 **Herzog seconded. The motion carried unanimously.**

17
18
19 **Thompson moved** to amend as follows:

20
21 Page 1, line 11: “...**absent excused:** “

22
23 **Herzog seconded. The motion carried unanimously.**

24
25
26 **Herzog moved** to amend the March 13, 2003 regular meeting minutes as follows:

27
28 Page 1, line 10: “**absent excused:** “

29
30 **Cmbr. Olstad seconded. The motion carried unanimously.**

31
32
33 **Armanini moved** to approve the consent calendar as amended as follows:

- 34
35 4. March 13, 2003 Council Study Session Minutes
36 5. March 13, 2003 Council Regular Meeting Minutes
37 6. March 27, 2003 finance committee report covering warrant nos. 43244 through 43323 in the
38 amount of \$123,199.45 drawn from the claims clearing fund and warrant nos. 24207 through
39 24278 in the amount of \$133,686.46 drawn from the payroll clearing fund and automatic
40 withdrawal fee for monthly bank service fees from checking account in the amount of
41 \$569.23.

42
43 **Thompson seconded. The motion carried unanimously.**

44
45
46
47 **FIRST READING CALENDAR**

48
49 There was no objection to Thompson’s request to re-order the First Reading Calendar and to
50 place Ordinance 895 as Item 4.

1 **Resolution 772/Authorizing Mayor to Sign Interlocal Cooperation Agreement with**
2 **Coalition of Small Police Agencies for Training**

3
4 **Thompson moved** to advance Resolution 772/Authorizing Mayor to Sign Interlocal Cooperation
5 Agreement with Coalition of Small Police Agencies for Training to the second reading calendar.
6

7 **Cmbr. Herzog seconded. The motion carried unanimously.**
8
9

10 **Resolution 773/Extending Benefits to Eligible Domestic Partners**

11
12 **Thompson moved** to advance Resolution 773/Extending Benefits to Eligible Domestic Partners
13 to the second reading calendar.
14

15 **Cmbr. Goss seconded. The motion carried unanimously.**
16
17

18 **Authorization to Hire Temporary Assistance Related to Human Resources Functions**

19
20 **Thompson moved** to advance Authorization to Hire Temporary Assistance Related to Human
21 Resources Functions to the second reading calendar.
22

23 **Sterner seconded. The motion carried unanimously.**
24
25

26 **Ordinance 895/Amending LFPMC 13.12.020 Setting Sewer Rates for Multi-Family and**
27 **Commercial Users**

28
29 Finance Director John Hawley provided information regarding current and proposed rates for
30 multifamily and commercial sewer customers. Discussion followed on flat rate fees, charges
31 based on water consumption in cubic feet, and the proposed billing periods for the new rates.
32

33 With the consent of the council, Ordinance 895 was advanced to second reading at the April 10,
34 2003 regular council meeting. Hawley requested final action on the ordinance at the April 10
35 meeting.
36
37

38 **SECOND READING CALENDAR**

39 **Ordinance 893/Establishing the Gateway Senior Housing Overlay Zone**

40
41 In response to a question from Kiest, City Attorney Ruark said that the requested information
42 regarding council policy development would be prepared for an upcoming meeting.
43
44

45 City Planner Ty Peterson noted that the council has Ordinance 893 as originally proposed and
46 two revised versions of the ordinance.

47 After some discussion, **Thompson moved** to strike the following amendment from Ordinance
48 893 revised 3/27/03 version 1 and to substitute and accept Ordinance 893 revised 3/27/03
49 version 1 as amended as the version before the council:
50
51

1 Page 2, lines 6-11:
2

3 ~~“18.44A.010 Purpose: The purpose of the Senior Housing Overlay Zone is to implement the~~
4 ~~City’s Comprehensive plan policies to increase availability of a range of housing options and~~
5 ~~increase availability of housing options for seniors. This overlay zoning designation is used to~~
6 ~~limit the geographic application of the incentives and mitigation created by the overlay for the~~
7 ~~limited uses related to senior housing and identified herein. The underlying zoning remains fully~~
8 ~~applicable except with regard to the overlay provisions.”~~
9

10 **Goss seconded. The motion to amend carried unanimously.**
11

12
13 Council members noted various aids that would be useful in council discussion of the proposed
14 ordinance.
15

16 **Herzog moved** to amend Ordinance 893 by correctly renumbering the sections to correspond
17 with the previous amendment. **Armanini seconded. The motion carried unanimously.**
18

19
20 Following discussion of the roles of the council and the hearing examiner, **Sterner moved** to
21 amend Ordinance 893 as follows:
22

23 Page 3, line 2: “...shall be subject to the following site-plan and design review process:...”
24

25 **Kiest seconded. The motion to amend carried unanimously.**
26

27
28 **Resolution 772/Authorizing Mayor to Sign Interlocal Cooperation Agreement with**
29 **Coalition of Small Police Agencies for Training**
30

31 **Armanini moved** to adopt Resolution 772/Authorizing Mayor to Sign Interlocal Cooperation
32 Agreement with Coalition of Small Police Agencies for Training.
33

34 **Herzog seconded.**
35

36 In response to questions from councilmembers, Chief of Police Dennis Peterson discussed the
37 interlocal cooperation agreement with King County cities emergency aid and for in-service
38 training.
39

40 Councilmembers suggested that the agreement should reflect only the training portion to which
41 the city is agreeing to and to delete the rest of the agreement that does not pertain to us.
42 Peterson stated he would bring this resolution back to council after further discussion with the
43 other cities.
44

45 **The maker and seconder withdrew their motion to adopt Resolution 772.**
46
47

1 **Resolution 773/Extending Benefits to Eligible Domestic Partners**

2
3 **Thompson moved** to adopt Resolution 773/Extending Benefits to Eligible Domestic Partners.

4
5 **Armanini seconded.**

6
7 Discussion followed on the budgetary impact of the proposed resolution and eligibility
8 requirements.

9
10
11 Armanini recommended that the proposed policy language for the City's Employee Handbook
12 as outlined on the second page of the agenda cover sheet be amended as follows:

13
14 "Section 4 Employee Benefits

15
16 NEW SECTION

17
18 4.1 The City offers certain benefits to eligible employees, their dependents, and domestic
19 partners, including health, life, vision, pension and retirement plans. Information and
20 summaries intended to explain these benefits plans will be furnished to all plan
21 participants and beneficiaries on a timely and continuing basis. The City also provides a
22 number of other benefits such as leaves of absences and paid vacations, holiday and
23 sick days to employees. Domestic partners covered by this policy can be the same or
24 opposite gender."

25
26 Kiest recommended the city look into the cafeteria concept for benefits for city employees.

27
28 **Kiest moved** to advance to the next item on the agenda and to hold Resolution 773 to the final
29 item on the second reading calendar.

30
31 **Herzog seconded. The motion carried unanimously.**

32
33
34 **Authorization to Hire Temporary Assistance Related to Human Resources Functions**

35
36 In response to a question from Armanini, City Administrator Karen Haines discussed the need
37 for temporary assistance in the human resources area and explained how the hourly rate was
38 established.

39
40 **Goss moved** to authorize the City Administrator to hire a human resources consultant for not
41 more than 80 hours at \$25.00 per hour to assist with human resources related issues.

42
43 **Herzog seconded.**

44
45 In response to questions from council, Haines noted that a review of the employee handbook
46 must be done and said that various tasks related to human resources require attention.

47
48 Thompson noted that an agreement is required for council approval related to temporary
49 assistance for human resources functions.

1 A five-minute recess was taken at 10:05 p.m.

2
3 The meeting was resumed at 10:13 p.m.

4
5
6 **The motion to authorize hiring for temporary assistance related to human resources**
7 **functions following council approval of the personal services agreement carried**
8 **unanimously.**
9

10
11 **Resolution 773/Extending Benefits to Eligible Domestic Partners**

12
13 In response to a request from Armanini, City Attorney Mike Ruark discussed the proposed
14 resolution and the language relating to eligibility.

15
16 **Kiest moved** to amend Resolution 773 as follows:

17
18 Page 1, line 9 - 10:

19
20 "WHEREAS, the City of Lake Forest Park ~~Employee Handbook, passed by the City~~
21 ~~Council, has a nondiscrimination policy,~~ contract with the Police Guild calls for the
22 offering of health insurance to domestic partners if and when such insurance becomes
23 available through the Association of Washington Cities, and..."
24

25 Page 1, lines 12-16:

26
27 "~~WHEREAS, the policy states "It is our policy that all decisions involving any aspect of~~
28 ~~employment relationship will be made without regard to race, color, sex, creed, religion,~~
29 ~~age, marital status, sexual orientation, national origin, citizenship, the presence of any~~
30 ~~sensory, mental, or physical disability or veteran status, or any other status or~~
31 ~~characteristic protected by local, state, or federal law."~~ and
32

33 Page 1, line 26: "...CITY OF LAKE FOREST PARK, WASHINGTON THAT: ~~the personnel~~
34 ~~handbook be amended to add a policy that extends benefits to eligible domestic partners~~
35 the City is hereby authorized to allow members of the Police Guild to enroll domestic
36 partners and their dependents meeting the requirements of the Association of
37 Washington Cities in the AWC medical, dental, and vision programs to the extent
38 required by the City's contract with the Police Guild."
39

40 **Sterner seconded.**

41
42 Thompson said he would oppose this amendment because he does not want to perpetuate the
43 difference in benefits for represented and non-represented employees.

44
45 Sterner said he would support the amendment to honor the contract language.

46
47 **The motion failed 3-4 (Aye—Kiest, Sterner, Goss Herzog; Nay—Thompson, Armanini,**
48 **Herzog, Goss Olstad).** (Approved by Council 4/10/03)

1
2
3 Following discussion with the city attorney regarding inclusive language, **Armanini moved** to
4 amend Resolution 773 as follows:

5
6 Page 1, line 26:

7
8 “...THE CITY OF LAKE FOREST PARK, WASHINGTON THAT the City is hereby authorized to
9 offer all city employees domestic partnership benefits as provided by the Association of
10 Washington Cities Employee Benefit Trust to the extent such benefits are provided for in the
11 Lake Forest Park Police Sergeants Guild Contract (1/1/2002 through 12/31/2003).”

12
13 **Goss seconded. The motion to amend carried unanimously.**

14
15
16 Sterner noted that this is not about making policies but a contract and fairness of health
17 benefits.

18
19 **Sterner moved** to amend Resolution 773 as follows:

20
21 Page 1, line 9:

22
23 “...the City of Lake Forest Park’s contract with the Sergeants Guild calls for offering health
24 insurance to domestic partners if and when such insurance becomes available through the
25 Association of Washington Cities, Employee Handbook, passed by the City Council, has a
26 nondiscrimination policy, and...”

27
28 Page 1, lines 12-16:

29
30 “WHEREAS, ~~the policy states “It is our policy that all decisions involving any aspect of~~
31 ~~employment relationship will be made without regard to race, color, sex, creed, religion, age,~~
32 ~~marital status, sexual orientation, national origin, citizenship, the presence of any sensory,~~
33 ~~mental, or physical disability or veteran status, or any other status or characteristic protected by~~
34 ~~local, state, or federal law.” and~~

35
36 Page 1, line 22:

37
38 “WHEREAS, it is found that in fairness, all city employees should be treated the same on this
39 issue, and...”

40
41 **Thompson seconded. The motion to amend carried unanimously.**

42
43
44 **The motion to approve Resolution 773 as amended carried 6-1 (Aye—Kiest, Armanini,**
45 **Thompson, Goss, Olstad, Sterner; Nay—Herzog).**

1 **NEW BUSINESS**

2 **Reports – Council**

3
4 Thompson said that his current active duty status as an Army Reserve officer may require his
5 absence from upcoming council meetings, and he requested that such absences be excused.
6

7
8 Kiest noted a recent *King County Journal* article regarding gambling and discussed the
9 Reinvesting in Youth program and related issues.
10

11
12 Armanini reported on her attendance at a recent Suburban Cities Association meeting and
13 shared information regarding policy board issues.
14

15 Sterner gave council a brief update on human services issues.
16

17 Herzog noted the importance of city representation at an upcoming Washington water law
18 conference.
19

20 Kiest asked the administration to keep in touch with the monorail issue and how it affects the
21 city.
22

23
24 **New topics for discussion**
25 **Commission Appointments**
26

27 Hutchinson noted that he had identified two nominees for the Planning Commission for council
28 consideration. He shared with council a map illustrating the geographical distribution of current
29 planning commission members.
30

31 Council members discussed the legislative intent regarding geographical distribution and the
32 development of the comprehensive plan update.
33

34
35 Chief Peterson reported on the success of the recent bicycle helmet fitting event at Third Place
36 Commons. He thanked Community and Government Affairs Manager Sarah Phillips on
37 organizing the event.
38

39
40 **ADJOURNMENT**
41

42 There being no objection, the meeting was adjourned at 11:13 p.m.
43
44

45 _____
46 Susan Stine, City Clerk
47

48 _____
49 David R. Hutchinson, Mayor
50