

**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
August 28, 2003**

Councilmembers present: Dwight Thompson, Mayor *pro tempore*; Alan Kiest, Carolyn Armanini, Mary Jane Goss, Nate Herzog, Roger Olstad, Ed Sterner

Staff present: Karen Haines, City Administrator; Michael Ruark, City Attorney; Dennis Peterson, Police Chief; John Hawley, Finance Director; Sarah Phillips, Community and Government Affairs Manager; Neil Jensen, City Engineer; Susan Stine, City Clerk

Others present: Eight visitors

CALL TO ORDER

Mayor *pro tempore* Dwight Thompson called the meeting to order at 7:37 p.m.

PUBLIC HEARING

Ordinance 898/Granting to VoiceStream PSC III Corporation the Right, Privilege, Authority and Franchise to Construct, Maintain, Repair, Replace and Operate a Telecommunications System in Franchise Area

Mayor *pro tempore* Dwight Thompson opened the public hearing on Ordinance 898/Granting to VoiceStream PSC III Corporation the Right, Privilege, Authority and Franchise to Construct, Maintain, Repair, Replace and Operate a Telecommunications System in Franchise Area at 7:38 p.m.

Community and Government Affairs Manager Sarah Phillips noted that this franchise is similar to those previously presented to council with the exception that the work will not be underground but will be antennas replacing existing poles. This process will require a reasonable use permit.

There being no comments, the public hearing on Ordinance 898 was closed at 7:40 p.m.

FLAG SALUTE

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

MAYOR'S REPORT

Thompson noted that Mayor Hutchinson is ill.

In response to a question from Thompson, Police Chief Dennis Peterson said the speeding violations and enforcement would be included in the next report on the Burke Gilman Trail.

1 **PROCLAMATION**
2 **National Payroll Week**

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4 Thompson noted the mayor's proclamation in support of National Payroll Week.
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7 **ADOPTION OF AGENDA**

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9 Thompson requested that the discussion item from the study session agenda, Unsewered
10 Areas Presentation/Financial Analysis, be placed on tonight's regular meeting agenda. After
11 further discussion, it was the consent of the council that discussion on this item would follow the
12 consent calendar.
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14 Cmbr. Armanini requested to add Sustaining a Livable Lake Forest Park under new topics for
15 discussion.
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17 **Cmbr. Olstad moved** to adopt the agenda as amended. **Armanini seconded. The motion**
18 **carried unanimously.**
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21 **CITIZEN COMMENTS**

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23 Bob Travis, 15308 Beach Drive NE, said that retired citizens who live along the trail feel like
24 they are prisoners in their homes due to bicycle traffic on the trail. He said that widening the trail
25 would only exacerbate problems. Travis also noted that it is more dangerous for cyclists. He
26 said that traffic on the trail must be slowed down.
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28 Cmbr. Olstad noted that enforcement cannot be scheduled 24 hours a day, and he agreed that
29 bicycle traffic must be slowed down.
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32 **CONFIRMATION REVIEW CALENDAR**

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34 **John Peterson, Parks and Recreation Commission, Position 1, term ending 3/31/04**
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36 Thompson noted that John Peterson has withdrawn his name from consideration for
37 appointment to the Parks and Recreation Commission, position 1.
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40 **CONSENT CALENDAR**

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42 **Armanini moved** to approve the consent calendar as follows:
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- 44 1. August 14, 2003 Council Study Session Minutes
45 2. August 14, 2003 Council Regular Meeting Minutes
46 3. August 28, 2003 Finance Committee Report covering warrant nos. 44115 through 44174
47 drawn from the claims clearing fund in the amount of \$149,295.85 and warrant nos. 25030
48 through 25110 drawn from the payroll clearing fund in the amount of \$144,136.63.
49 Automatic withdrawal from checking account in the amount of \$411.04 for monthly bank
50 service fees.
51 4. Resolution 802/Accepting Completion of Contract for Horizon View Park Improvements.

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Thompson seconded.

Herzog commented on item 4, Resolution 802/Accepting Completion of Contract for Horizon View Park Improvements. He expressed some concern regarding the current condition of the soccer field at Horizon View Park given the resources that have been invested there.

Olstad said he agrees with Cmbr. Herzog's comments but noted that the field is looking better now than it was. He noted that the clover is the greenest part of the field. *(Council Approved 9/11/03)*

Thompson requested that the administration report to the council on the agreement with the Shorelake Soccer Association regarding maintenance.

The motion to approve the consent calendar carried unanimously.

FIRST READING CALENDAR

Ordinance 898/Granting to Voice Stream PSC III Corporation the Right, Privilege, Authority and Franchise to Construct, Maintain, Repair, Replace and Operate a Telecommunications System in Franchise Area

Lon Hurd, 3H Cable Communications Consultants, said that Community and Government Affairs Manager Phillips did a good job of briefing the council on the proposed ordinance. Hurd noted that a representative of VoiceStream is present to respond to any questions.

Cmbr. Kiest questioned the placement, height and installation of towers. Hurd noted that they would have to adhere to what is currently in the municipal code with regard to height and other requirements.

Kiest expressed concern regarding pole height and other aesthetic issues. Hurd said that the code does not refer to height. Kiest requested that staff members provide additional information regarding this issue.

It was noted that Ordinance 898/Granting to Voice Stream PSC III Corporation the Right, Privilege, Authority and Franchise to Construct, Maintain, Repair, Replace and Operate a Telecommunications System in Franchise Area will be on the September 11, 2003 second reading calendar. *(Council approved 9/11/03)*

**Discussion Item
Unsewered Areas Presentation/Financial Analysis**

City Administrator Karen Haines noted that the council had received a presentation from Hammond, Collier Wade-Livingstone in March 2002 that included a cost analysis for sewerage unsewered areas. She said that current research indicates that the estimated costs for this project since that presentation have escalated. Haines noted that the council is aware that there are a number of property owners who are very interested in obtaining sewer service, and there are a number of citizens in those same areas who are not interested. Haines said that issues that must be considered are the health of residents and protection of the environment.

1 City Engineer Neil Jensen reviewed information from previous presentations and noted that the
2 council had provided direction on this issue by motion in October 2002. Jensen gave a brief
3 background report on various sub-areas where sewers would be constructed. Jensen also
4 noted that Northshore Utility District has reported that it has received a public works trust fund
5 loan to construct sewers in one of the noted sub-areas.
6
7 Finance Director John Hawley demonstrated multiple scenarios for funding this project and
8 illustrated what the average cost for each property owner would be.
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10 Discussion followed on how this information would be presented to property owners, the
11 projected financing and related issues.
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13 Armanini expressed concern regarding funding options involving subsidizing a portion of the
14 cost and how property owners that formed utility local improvement districts (ULIDs) would be
15 affected.
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17 Goss noted that some property owners wanted to be annexed because they believed that such
18 services would be provided. She noted that this is a health and safety issue for property
19 owners.
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21 Kiest said there is always sticker shock at the cost of such projects, but the cost estimates are
22 not going down. He noted that sewer service adds value to each neighborhood.
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24 The merits of various financing options were discussed.
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26 Armanini expressed concern that the effect of the proposal would have some customers paying
27 to increase the value of other properties.
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29 Sterner said that the cost of new septic installation should be considered and compared to the
30 cost of sewer service.
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32 Councilmembers discussed the impact of a two-year wait for funding of this project through
33 possible funding sources. Issues related to the street overlay schedule were also discussed.
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36 **Resolution 803/Granting Six-Month Leave of Absence to Finance Director**

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38 There being no objection, Thompson noted that Resolution 803/Granting Six-Month Leave of
39 Absence to Finance Director would advance to the second reading calendar as listed on the
40 agenda.
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44 **SECOND READING CALENDAR**

45 **Resolution 795/Authorizing Mayor to Sign Interlocal Agreement for Statewide**
46 **Mobilization Plan**

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48 City Administrator Karen Haines requested that Resolution 795/Authorizing Mayor to Sign
49 Interlocal Agreement for Statewide Mobilization Plan remain on the second reading calendar for
50 the September 11, 2003 agenda.
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Ordinance 896/Authorizing Mayor to Sign Franchise Agreement with Northshore Utility District

After some discussion, Armanini moved to accept the revised Ordinance 896 as presented by the Finance Director as the council's working copy. Thompson seconded. The motion carried unanimously.

Following discussion, Herzog moved to advance Ordinance 896/Authorizing Mayor to Sign Franchise Agreement with Northshore Utility District to final action calendar. Thompson seconded. The motion carried unanimously.

Ordinance 899/Authorizing Use of Eminent Domain Procedures to Acquire Property Rights Associated with Bothell Way NE/Brookside Blvd NE Pedestrian Improvements Project

After some discussion, the council agreed that Ordinance 899/Authorizing Use of Eminent Domain Procedures to Acquire Property Rights Associated with Bothell Way NE/Brookside Blvd NE Pedestrian Improvements Project would advance to final action calendar on the September 11, 2003 regular meeting agenda.

Resolution 803/Granting Six-Month Leave of Absence to Finance Director

City Attorney Ruark said that this matter is coming before the council because a guarantee of returning to the finance director position is being requested, and this is not covered in the employee handbook. Ruark said the Mayor has the authority to grant the leave of absence, but Mr. Hawley is requesting that his job be guaranteed upon his return. Ruark noted that the policy that has been adopted does not provide for this guarantee.

City Administrator Haines noted this item has been added to the agenda this evening due to the urgency of making a decision on Resolution 803/Granting Six-Month Leave of Absence to the Finance Director. She noted that Mr. Hawley has submitted a request for a six-month leave of absence in order to participate in a program that will bring expertise from this country to Iraq to help establish local governments in that country. Haines said that Hawley would begin this program on September 29, 2003. The administration is requesting council to authorize the mayor to sign this agreement with Mr. Hawley.

In response to a question from Kiest, Haines explained that benefits would no longer be available to him while on this leave of absence, with the exception of unused vacation, if any, that will be paid out to him.

At the request of council, Hawley discussed the program and explained that he would be providing his local government expertise in the development of local representative city governments.

Mr. Thompson raised the issue related to the narrow constraints of the leave considering the time required to readjust after returning. A seven-month window was recommended. (Council approved 9/11/03)

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Herzog moved to amend Resolution 803 as follows:

Page 1, line 23: "...approve the ~~six-month~~ leave of absence..."

Page 1, line 24: "...his current position upon his return provided that this return occurs on or before April 30, 2004."

Armanini seconded. The motion carried unanimously.

Armanini moved to amend Resolution 803 as follows:

Page 1, line 27-29: "...authorizes the Mayor to sign ~~such agreement~~ Attachment A granting the Finance Director a six-month leave of absence and guaranteeing the Finance Director that he will be able to resume his current position upon his return."

Thompson seconded. The motion to amend carried unanimously.

Olstad moved to adopt Resolution 803/Granting Leave of Absence to the Finance Director.

Armanini seconded.

Thompson moved to amend Resolution 803 as follows:

Page 1, line 7-8: "...granting a ~~six-month~~ leave of absence..."

Page 1, line 13-14: "...has requested a ~~six-month~~ unpaid leave of absence..."

Thompson seconded. The motion to amend carried unanimously.

The motion to adopt Resolution 803 as amended carried unanimously.

FINAL ACTION CALENDAR

Ordinance 896/Authorizing Mayor to Sign Franchise Agreement with Northshore Utility District

Sterner moved to adopt Ordinance 896/Authorizing Mayor to Sign Franchise Agreement with Northshore Utility District. **Thompson seconded.**

After some discussion, **the motion to adopt Ordinance 896/Authorizing Mayor to Sign Franchise Agreement with Northshore Utility District carried 6-1 (Aye—Kiest, Thompson, Goss, Herzog, Sterner, Olstad; Nay—Armanini).**

NEW BUSINESS

Reports—Council

Kiest requested copies be included in the next council packet of an article from the Eastside Journal relevant to fireworks.

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Sustaining Lake Forest Park

Armanini noted that the City Administrator had indicated that the request for qualifications was being advertised. Armanini said that the proposed cost is three to five times more than the Planning Commission request, and she asked if the council had blessed that amount. She said that she needs to be convinced that this is the best way to spend \$100,000.

Haines said that she felt that the council supported the scope of work in general as it was presented at the August 14 study session. She noted that the advertisement was for statements of qualifications from interested firms. Haines said that the full request for qualifications proposals will be prepared for council approval, and the council would also be responsible for approving a contract for the proposed project. Haines noted that the city would have a better idea of the cost of the project when proposals in response to the RFP are received. *(Council approved 9/11/03)*

Haines said that she believed that the council had given its permission to proceed with this part of the process.

Herzog expressed concern that the ad hoc committee overseeing this project would be appointed by the mayor, and he felt that the council's local government committee should be more involved in this project.

Olstad noted that he agreed with Herzog, and he said that the council needs to pay attention to the process.

Sterner said that the city was formed over land use issues, and its citizens are very interested in what happens literally on the ground.

Thompson said that the local government committee would meet to review this issue and make a recommendation.

At 10:06 p.m., Thompson noted that the next item on the agenda is an executive session requiring approximately 10 minutes for discussion of potential litigation. Those not required to remain for the executive session exited the chambers at this time.

A two-minute recess was called for a 10:07 p.m.

The meeting resumed at 10:13 p.m.

EXECUTIVE SESSION

The meeting was recessed to executive session at 10:14 p.m. for approximately 10 minutes for discussion of potential litigation.

At 10:26 p.m., the executive session was extended for an additional 10 minutes.

1 The regular meeting was resumed at 10:36 p.m.

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4 **ADJOURNMENT**

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6 There being no objection, the meeting was adjourned at 10:37 p.m.

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Susan Stine, City Clerk

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Dwight Thompson, Mayor *pro tempore*

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