

**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
September 11, 2003**

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

Councilmembers present: Dwight Thompson, Mayor *pro tempore*; Alan Kiest, Carolyn Armanini, 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; Sarah Phillips, Government & Community Relations Manager, Susan Stine, City Clerk

Others present: Five visitors

CALL TO ORDER

Mayor Hutchinson called the meeting to order at 7:34 p.m.

FLAG SALUTE

Cmbr. Thompson led council in the pledge of allegiance.

MAYOR'S REPORT

Hutchinson said that a commemoration of September 11, 2001 had been held at City Hall. Those in attendance included members of Northshore Fire Department, Lake Forest Park residents, council members, police department and city staff. He noted a memorial plaque had been donated by Acacia Memorial Park.

**PROCLAMATION
Day of Concern for the Hungry**

Hutchinson noted the proclamation for Day of Concern for the Hungry on September 27, 2003, and discussed the work of various organizations involved in feeding the hungry.

ADOPTION OF AGENDA

Thompson requested to add Sustaining Lake Forest Park: A Strategic Plan under new topics for discussion and to pull consent calendar item 4, Resolution 804/Authorizing Mayor to Sign Contract for Interim Finance Director, and place it under the first reading calendar.

Cmbr. Goss requested to pull the August 28, 2003 council study session minutes and the August 28, 2003 council regular meeting minutes from the consent calendar.

1 Thompson moved to adopt the agenda as amended. Cmbr. Armanini seconded. The
2 motion carried unanimously.

3
4
5 **CITIZEN COMMENTS**

6
7 Natasha Grossman, 19823 55th Avenue NE, expressed her concerns regarding construction
8 noise at the keyhole property. Grossman noted that work hours are being exceeded or ignored
9 and said that she has contacted the police department with her complaints. She asked the
10 council to consider changes to the construction hours allowed in the city code.

11
12 Thompson requested that this issue be scheduled for discussion at a future study session for
13 about 15 minutes.

14
15 **Boy Scout Troop 850**

16
17 Hutchinson recognized Troop 850 scouts Brandon Seeley and Joshua Wisdom and Troop
18 Leader Mark Wisdom. The scouts are working on their communications merit badge.

19
20
21 **CONSENT CALENDAR**

22
23 Thompson moved to amend the August 28, 2003 council study session minutes as follows:

24
25 Page 2, line 36-37:

26
27 "...at a previous community meeting he attended in 2001, ..."
28 "...should be removed or modified."

29
30 Cmbr. Herzog seconded. The motion to amend carried unanimously.

31
32
33 Cmbr. Goss moved to amend the August 28, 2003 study session minutes as follows:

34
35 Page 2, line 25:

36
37 "~~Cmbr. Goss said the Burke Gilman Trail is a trail first rather than a transportation route for~~
38 ~~commuters. She expressed concern regarding signage on the trail and emphasized the need for~~
39 ~~better communications from the county with city residents. expressed her desire that the county~~
40 ~~not look at it like a highway or an expressway but as a trail. She expressed that the county~~
41 ~~should consider all users—not just the biking community. She also expressed her concerns~~
42 ~~about non-existence of written communication regarding stop signs and lack of communication~~
43 ~~of County regarding intended actions and LFP concerns. She stressed the need for King~~
44 ~~County to communicate in advance about work on the trail so that LFP knows what to tell~~
45 ~~residents.~~

46
47 Thompson seconded. The motion carried unanimously.

48
49
50
51

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
51

Goss moved to amend the study session minutes as follows:

Page 2, line 46:

"...Thompson and Armanini noted that the letter..."

Cmbr. Olstad seconded. The motion carried unanimously.

Thompson moved to amend the August 28, 2003 regular meeting minutes as follows:

Page 6, line 4:

"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."

Armanini seconded. The motion carried unanimously.

Armanini moved to amend the regular meeting minutes as follows:

Page 2, lines 37-41:

~~"Thompson noted that Mr. Peterson has notified the Mayor that he would like to withdraw from serving on the Parks and Recreation Commission at this time.~~

CONFIRMATION REVIEW CALENDAR"

Olstad seconded. The motion carried unanimously.

Armanini moved to amend as follows:

Page 3, line 16: "...now thae it was..."

Page 3, line 41: "...Ordinance 898/Grnaanting to Voice Stream..."

Thompson seconded. The motion carried unanimously.

Goss moved to amend the minutes as follows:

Page 7, line 18: "...qualifications proposals..."

Thompson seconded. The motion carried unanimously.

Thompson moved to approve the consent calendar as amended as follows:

- 1. August 28, 2003 Council Study Session Minutes
- 2. August 28, 2003 Council Regular Meeting Minutes

- 1 3. September 11, 2003 Finance Committee Report covering warrant nos. 44175 through
2 44226 in the amount of \$164,173.34 drawn from the claims clearing fund and warrant nos.
3 25111 through 25200 in the amount of \$182,397.93 drawn from the payroll clearing fund.
4

5 **Armanini seconded. The motion carried unanimously.**
6

7
8 **FIRST READING CALENDAR**

9 **Ordinance 900/Amending Ordinance 832 and LFPMC Chapter 2.39 Relating to**
10 **Administrative Appeals, Repealing Section 2 of Ordinance 879**
11 **Resolution 804/Authorizing Mayor to Sign Contract for Interim Finance Director**
12

13 **Thompson moved** to advance the following to the second reading calendar:
14

- 15 1. Ordinance 900/Amending Ordinance 832 and LFPMC Chapter 2.39 Relating to
16 Administrative Appeals, Repealing Section 2 of Ordinance 879, and
17 2. Resolution 804/Authorizing Mayor to Sign Contract for Interim Finance Director
18

19 **Cmbr. Kiest seconded. The motion carried unanimously.**
20

21
22 **SECOND READING CALENDAR**

23 **Resolution 795/Authorizing Mayor to Sign Interlocal Agreement for Statewide**
24 **Mobilization Plan**
25

26 It was noted that Resolution 795/Authorizing Mayor to Sign Interlocal Agreement for Statewide
27 Mobilization Plan would remain on second reading calendar for the September 25, 2003 regular
28 council meeting.
29

30
31 **Ordinance 898/Granting to VoiceStream PSC III Corporation the Right, Privilege,**
32 **Authority and Franchise to Construct, Maintain, Repair, Replace and Operate a**
33 **Telecommunications System in Franchise Area**
34

35 There was no objection to Kiest's request that Ordinance 898 be placed at the end of the
36 second reading calendar.
37

38
39 **Ordinance 900/Amending Ordinance 832 and LFPMC Chapter 2.39 Relating to**
40 **Administrative Appeals, Repealing Section 2 of Ordinance 879**
41

42 After a brief explanation of Ordinance 900 by the city attorney, **Thompson moved** to advance
43 Ordinance 900/Amending Ordinance 832 and LFPMC Chapter 2.39 Relating to Administrative
44 Appeals, Repealing Section 2 of Ordinance 879 to final action calendar.
45

46 **Olstad seconded. The motion carried unanimously.**
47
48
49

1 **Resolution 804/Authorizing Mayor to Sign Contract for Interim Finance Director**
2
3 Thompson noted his concern regarding authorizing this contract before the position is filled and
4 asked about the selection process.
5
6 City Administrator Karen Haines discussed the hourly rate and the contract with the Prothman
7 Company. Discussion followed on the content of the contract.
8
9 After further discussion, **Armanini moved** to amend Resolution 804 as follows:
10
11 Page 1, line 14: "...Lake Forest Park has approved up to a seven-month..."
12
13 **Cmbr. Herzog seconded. The motion carried unanimously.**
14
15
16 **Armanini moved** to amend the agreement with The Prothman Company as follows:
17
18 Page 2, **Finders Fee.** "...the Prothman Company ~~the~~ a one time finders fee which shall be a
19 percentage of the..."
20
21 "...as represented below:
22
23 0-6 months 10% or
24 after 7 months 5%..."
25
26
27 **"City of Lake Forest Park**
28
29
30 _____
31 David R. Hutchinson Date
32 Masyor"
33
34 **Olstad seconded. The motion carried unanimously.**
35
36 Following discussion regarding capping the number of hours and the requirements of the
37 position, **Thompson moved** to amend Resolution 804 with the following:
38
39 Line 24: "...Interim Finance Director services. Such payments for this contract shall not exceed
40 the amount of expense appropriated for the full-time position of finance director."
41
42 **Goss seconded.** After further discussion, **the motion to amend carried unanimously.**
43
44
45 **Thompson moved** to adopt Resolution 804/Authorizing Mayor to Sign Contract for Interim
46 Finance Director as amended. **Armanini seconded. The motion carried unanimously.**
47
48
49

1 **Ordinance 898/Granting to VoiceStream PSC III Corporation the Right, Privilege,**
2 **Authority and Franchise to Construct, Maintain, Repair, Replace and Operate a**
3 **Telecommunications System in Franchise Area**
4
5 Kiest discussed time limits included in the franchise agreement for various scenarios involving
6 removal and abandonment of property by the franchisee.
7
8 VoiceStream representative Andrew Nenniger, 19807 North Creek Parkway, Bothell, agreed to
9 proposed changes in the time limits.
10
11 Discussion followed on height of existing utility poles and the proposed height for replacement
12 poles, and Nenniger discussed how antenna equipment is placed on the poles.
13
14
15 Following further discussion, **Armanini moved** to hold over Ordinance 898 to the September
16 25, 2003 second reading calendar for additional information and to fix language in the
17 agreement.
18
19 **The motion died for lack of a second.**
20
21
22 **Herzog moved** to amend Ordinance 898 as follows:
23
24 Page 13, line 5: "...period of ~~twelve (12) months,~~ thirty (30) days ..."
25
26 Page 13, line 9: "...remove within ~~ninety (90)~~ thirty (30) days..."
27
28 Page 13, line 14: "...remaining in place ~~ninety (90)~~ thirty (30) days..."
29
30 **Kiest seconded. The motion carried unanimously.**
31
32
33 **Thompson moved** to amend Ordinance 898 as follows:
34
35 Page 8, line 1: "...transmitting equipment—~~S~~such activities shall be made in concurrence..."
36
37 **Olstad seconded. The motion to amend carried with six votes (Aye—Kiest, Thompson,**
38 **Goss, Herzog, Sterner, Olstad; Abstained—Armanini).**
39
40
41 **Cmbr. Sterner moved** to advance Ordinance 898 to final action calendar at the September 25,
42 2003 regular council meeting. **Armanini seconded. The motion carried unanimously.**
43
44
45
46 Armanini requested that the city attorney look into construction hours in Chapter 5.26.090 H in
47 the municipal code. She asked the city attorney to draft an ordinance amending the code for
48 council consideration on September 25, if this is not consistent with other types of construction
49 hours.
50
51

1 **FINAL ACTION CALENDAR**
2 **Ordinance 899/Authorizing Use of Eminent Domain Procedures to Acquire Property**
3 **Rights Associated with Bothell Way NE/Brookside Blvd NE Pedestrian Improvements**
4 **Project**

5
6 Thompson moved to adopt Ordinance 899/Authorizing Use of Eminent Domain Procedures to
7 Acquire Property Rights Associated with Bothell Way NE/Brookside Blvd NE Pedestrian
8 Improvements Project.

9
10 Herzog seconded.

11
12 Thompson noted for the record that he took voting in favor of eminent domain very seriously. He
13 said he is doing this strictly for the benefit of the city and its citizens.

14
15 The motion carried unanimously.

16
17
18 **Ordinance 900/Amending Ordinance 832 and LFPMC Chapter 2.39 Relating to**
19 **Administrative Appeals, Repealing Section 2 of Ordinance 879**

20
21 Thompson moved to adopt Ordinance 900/Amending Ordinance 832 and LFPMC Chapter
22 2.39 Relating to Administrative Appeals, Repealing Section 2 of Ordinance 879.

23
24 Herzog seconded. The motion carried unanimously.

25
26
27 **NEW BUSINESS/New Topics for Discussion**
28 **Sustaining Lake Forest Park: A Strategic Plan**

29
30 Thompson noted that the council committee should meet to discuss the role of the council on
31 the proposed mayoral advisory task force and to explore whether the process should be under
32 the direction of the council.

33
34 Kiest cautioned against increasing the council's representation on the proposed task force to
35 four positions due to quorum issues.

36
37 Herzog agreed with Kiest that limiting the council representation to three members on the task
38 force is appropriate. Herzog said that he would be more comfortable with the task force
39 reporting to the council due to the amount of money proposed for the study.

40
41 Goss expressed her concern regarding the selection process for council members on the
42 proposed task force.

43
44 Olstad said that he agrees that the appointment of three council members on the proposed task
45 force is sufficient; however, his expectation is that the entire council would be kept informed
46 continuously.

47
48 Herzog raised the question again of allowing the proposed advisory task force to be under the
49 authority of the mayor's office. Armanini said that she believed that it would be best not to have
50 it as a council task force and noted that the council has control over contracts and whether to
51 proceed with the study in any form.

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

In response to comments from council members, City Attorney Ruark noted that safeguards and interim reports are often built into the scope of work for projects.

Haines noted that it was contemplated that the process would include regular reports to and discussions with the council.

Armanini said that the council could approve the direction of the study at various points or decide to abandon it entirely at any point.

Following further discussion, **Herzog moved** that the Rules Committee be authorized by the Council to come up with a list of three councilmembers for appointment to the task force for council approval.

Kiest seconded.

In response to a question from Goss, Thompson noted that he, Herzog and Olstad are the members of the rules committee.

Thompson noted that the rules committee would also nominate members for all council committees for approval by the council.

Goss expressed her concern that committee members sometimes seem to be selected based on their positions on certain issues.

After further discussion on the selection process, **the motion carried 6-1 (Aye—Kiest, Armanini, Thompson, Herzog, Sterner, Olstad; Nay—Goss).**

Draft Request for Proposals/Sustaining Lake Forest Park

Kiest discussed issues related to the strategic plan and language in the draft request for proposals. He noted that the Planning Commission language has not been formally adopted by the council, and he recommended changes to the draft for clarification.

ADJOURNMENT

There being no objection, the meeting was adjourned at 9:39 p.m.

Susan Stine, City Clerk

David R. Hutchinson, Mayor