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**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
September 25, 2003**

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

Councilmember excused: Carolyn Armanini

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; Susan Stine, City Clerk

Others present: Six visitors

CALL TO ORDER

Mayor Hutchinson called the meeting to order at 7:38 p.m.

FLAG SALUTE

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

PUBLIC HEARING

2004 Community Development Block Grant (CDBG) Allocation

Hutchinson opened the public hearing on the 2004 Community Development Block Grant (CDBG) Allocation at 7:39 p.m.

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

MAYOR'S REPORT

Hutchinson reported on two accidents--one at Cherry Hill Apartments involving a vehicle delivering roofing materials and another accident at a construction site outside the city.

Hutchinson reported on a ballot measure regarding the number of county council members and shared information regarding the loss of state revenue.

1 **ADOPTION OF AGENDA**

2
3 Hutchinson requested to add an executive session to discuss potential litigation on two topics
4 for approximately 15 minutes.

5
6 Cmbr. Thompson noted he would like to discuss the Rules Committee report after citizen
7 comments.

8
9 **Thompson moved** to adopt the agenda as amended. **Cmbr. Herzog seconded. The motion**
10 **carried unanimously.**

11
12
13 **CITIZEN COMMENTS**

14
15 Mamie Bolender, 16730 32nd Place NE, extended invitations to council and staff to attend the
16 official opening of Brookside Creek on October 3, 2003, at 4:00 p.m.

17
18 Hutchinson thanked the Stewardship Foundation for their leadership on this project.

19
20
21 **Rules Committee Report**

22
23 Thompson noted the committee's report and discussed the various appointments and chairs for
24 the three committees. He also discussed a recommendation from the rules committee to retain
25 the option for a third Thursday meeting, as needed, as a study session when topics arise that
26 are complex in nature and need extended time for the council to discuss and research.

27
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29 **CONSENT CALENDAR**

30
31 Cmbr. Sterner requested to pull the September 11, 2003 council study session minutes from the
32 consent calendar.

33
34 **Sterner moved** to amend the September 11, 2003 study session minutes as follows:

35
36 Page 1, line 10: **Councilmember absent excused**: Nate Herzog

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

39
40
41 **Thompson moved** to adopt the consent calendar as amended as follows:

- 42
43 1. September 11, 2003 Council Study Session Minutes
44 2. September 11, 2003 Council Regular Meeting Minutes
45 3. September 25, 2003 Finance Committee Report covering warrant nos. 44227 through
46 44302 in the amount of \$90,474.01 drawn from the claims clearing fund and warrant nos.
47 25201 through 25277 in the amount of \$139,477.23 drawn from the payroll clearing fund
48 and bank service fee from checking account in the amount of \$601.85.
49 4. Resolution 805/Authorizing 2004 Community Development Block Grant Allocation
50 5. Resolution 806/Authorizing Mayor to Sign Contract for Conflict Public Defense Services
51

1 **Cmbr. Olstad seconded. The motion carried unanimously.**

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3

4 **FIRST READING CALENDAR**

5 **Authorizing Staff to Proceed with Hiring Maintenance Worker for Sanitary Sewer Position**

6

7 Public Works Operations Director Frank Zenk noted this position was included in the 2003
8 budget. He requested council to authorize staff to hire for this position for work related to the
9 King County inflow and infiltration project.

10

11 **Thompson moved** to authorize the Mayor to proceed with hiring for the maintenance worker
12 position. **Olstad seconded. The motion carried unanimously.**

13

14

15 **Ordinance 901/Adopting King County Rules for Burke-Gilman Trail, Providing for**
16 **Prosecution of Violations in Lake Forest Park Municipal Court**

17

18 Cmbr. Kiest asked City Attorney Mike Ruark if the city was taking a somewhat neutral path and
19 would not jeopardize its authority by adoption of this ordinance. Ruark stated that his opinion
20 differs from the county's legal opinion; however, he said that the city is exercising its authority by
21 incorporating the county rules and adopting this ordinance.

22

23 Discussion followed on incorporating King County rules, by reference, on the use of the Burke-
24 Gilman Trail and the city's role in enforcement of those rules.

25

26

27 **SECOND READING CALENDAR**

28 **Resolution 795/Authorizing Mayor to Sign Interlocal Agreement for Statewide**
29 **Mobilization Plan**

30

31 Kiest noted additional information is being sought and therefore requested that Resolution
32 795/Authorizing Mayor to Sign Interlocal Agreement for Statewide Mobilization Plan remain on
33 second reading calendar for the October 9, 2003 regular council meeting.

34

35

36 **Ordinance 894/Amending LFPMC 2.06.010 Relating to Time and Place of Council**
37 **Meetings**

38

39 After some discussion, **Thompson moved** to amend Ordinance 894/Amending LFPMC
40 2.06.010 Relating to Time and Place of Council Meetings as follows:

41

42 Page 1, line 26: "...**6 p.m. to 7:15 p.m.**..."

43

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

45

46

47 After further discussion, **Thompson moved** to amend Ordinance 894 as follows:

48

49 Page 1, line 26: "...6 p.m. **and the third Thursday of each month at 7:30...**"

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51 **Olstad seconded.**

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Thompson noted this amendment would allow council to cancel the third meeting if it was deemed not needed.

Herzog expressed some concern that a third meeting would become regular rather than occasional. He also noted that the proposal to cancel meetings sends the wrong message to the public and could cause confusion for citizens who are interested in city business.

After further discussion, **the maker and seconder withdrew the motion.**

Thompson moved to advance Ordinance 894 as amended to final action calendar. **Cmbr. Goss seconded. The motion carried unanimously.**

Ordinance 901/Adopting King County Rules for Burke Gilman Trail, Providing for Prosecution of Violations in Lake Forest Park Municipal Court

Thompson moved to advance Ordinance 901/Adopting King County Rules for Burke Gilman Trail, Providing for Prosecution of Violations in Lake Forest Park Municipal Court to final action calendar. **Goss seconded. The motion carried unanimously.**

FINAL ACTION CALENDAR

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

Herzog moved to adopt 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. **Goss seconded. The motion carried unanimously.**

Ordinance 901/Adopting King County Rules for Burke Gilman Trail, Providing for Prosecution of Violations in Lake Forest Park Municipal Court

Sternner moved to adopt Ordinance 901/Adopting King County Rules for Burke Gilman Trail, Providing for Prosecution of Violations in Lake Forest Park Municipal Court. **Goss seconded. The motion carried unanimously.**

Ordinance 894/Amending LFPMC 2.06.010 Relating to Time and Place of Council Meetings

Thompson moved to adopt Ordinance 894/Amending LFPMC 2.06.010 Relating to Time and Place of Council Meetings. **Goss seconded. The motion carried unanimously.**

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NEW BUSINESS
Reports--Council

Goss reported on her attendance at the Association of Washington Cities regional meeting and noted various topics of interest discussed at the meeting.

In response to Thompson, City Administrator Haines discussed the draft budget calendar and noted copies will be distributed to council.

In response to a question from Goss, City Attorney Ruark noted for the record that there is no conflict of interest for Cmbr. Goss related to her appointment to the council local government committee due to her association as an independent contractor with Windermere Real Estate.

At 8:38 p.m., Hutchinson noted that the next item on the agenda is an executive session requiring approximately 15 minutes for discussion of potential litigation related to two items. Those not required to remain for the executive session exited the chambers at this time.

A five-minute recess was called for at 8:40 p.m.

The meeting resumed at 8:45 p.m.

EXECUTIVE SESSION

The meeting was recessed to executive session at 8:46 p.m. for approximately 15 minutes for discussion of potential litigation.

At 9:02 p.m. the executive session was extended for approximately 15 minutes.

At 9:18 p.m. the executive session was extended for approximately 15 minutes.

The regular meeting was resumed at 9:34 p.m.

Authorization of Payment and Offer to Olympic Associates

Sterner moved to authorize payment to Olympic Associates of \$900.00 as reimbursement for a King County permit purchased on behalf of the city upon receipt of confirmation of payment.

Olstad seconded. The motion carried unanimously.

1 **Sterner moved** to authorize the city to offer to Olympic Associates in full satisfaction of all
2 claims the amount of \$2,831.

3
4 **Olstad seconded. The motion carried 4-2 (Aye—Olstad, Goss, Herzog, Sterner; Nay---**
5 **Kiest, Thompson).**

6
7
8 **Cancellation of November 27 and December 25, 2003 Council Meetings**

9
10 **Thompson moved** to cancel the November 27, 2003 study session and regular council
11 meetings (Thanksgiving Day) and December 25, 2003 study session and regular council
12 meetings (Christmas Day). **Herzog seconded. The motion carried unanimously.**

13
14
15 **Thompson moved** to schedule council special meetings as follows:

16
17 Thursday, November 6, 2003
18 Thursday, November 20, 2003 and
19 Thursday, December 18, 2003

20
21 **Herzog seconded.**

22
23 Thompson expressed his concern that the final scheduled meeting is December 11, and he
24 supported scheduling a special meeting on December 18 for approval of warrants and other
25 necessary business.

26
27 **The motion carried unanimously.**

28
29
30 **ADJOURNMENT**

31
32 There being no objection, the meeting was adjourned at 9:40 p.m.

33
34
35
36 _____
37 Susan Stine, City Clerk

38
39
40
41 _____
42 David R. Hutchinson, Mayor