

**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
March 24, 2005**

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; Sarah Phillips, Government & Community Relations Manager, John Hawley, Finance Director, Stephen Bennett, Building and Planning Director; Susan Stine, City Clerk

Others present: 50 visitors

CALL TO ORDER

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

FLAG SALUTE

Cmbr. Herzog led council in the pledge of allegiance.

PUBLIC HEARING

Proposed Update of Comprehensive Plan, Future Land Use Map and Environmentally Sensitive Areas Ordinance

Lloyd Skinner, 3564 NE 166th Street, said that Planning Commission Chair Judy Herring was unable to attend the public hearing, and he was asked to address the council regarding the proposed changes to the comprehensive plan and the sensitive areas ordinance.

He said that he has served on the Planning Commission, the sensitive areas ordinance task force and the Sustaining a Livable Lake Forest Park town center study task force and briefly described the history of the comprehensive plan update and noted that the issues of density and sensitive areas were carefully reviewed. Skinner said that the Planning Commission's recommendations would enhance the environment, are consistent with the Growth Management Act and would position the city for a strong, prosperous and visually beautiful future.

Bill Leon, 17027 37th Avenue NE, said that he volunteers with Streamkeepers and has taught geography and environmental studies. He spoke in support of the proposed sensitive areas ordinance and stated that the city would benefit by its adoption both economically and environmentally.

1 Mamie Bolender, 16730 32nd Place NE, spoke in support of the Planning Commission's
2 recommendations and the draft sensitive areas ordinance. Bolender reported that steelhead
3 trout have been seen in Lyon Creek. She urged the council to adopt the Planning
4 Commission's recommendations and the draft ordinance.

5
6 Lisa Kerr, 17050 Brookside Blvd. NE, noted she is a member of the Environmental Quality
7 Commission and served on the draft sensitive areas ordinance task force. She spoke in support
8 of the draft sensitive areas ordinance and said that she considers it a privilege to be a good
9 steward of the stream on her property.

10
11 John Lombard, 10801 12th Avenue NE, Seattle, a consultant with Steward and Associates,
12 spoke on behalf of the Lake Forest Park Stewardship Foundation in support of the Planning
13 Commission's recommendations regarding the R15 and R20 zoning and the draft sensitive
14 areas ordinance.

15
16 Randy Bannecker, Seattle-King County Association of Realtors, 12015 115th SE, Kirkland,
17 noted that members and clients value our region's environmental quality and are concerned
18 regarding housing affordability. He said that the requirements of the Growth Management Act
19 must be balanced and expressed concern regarding the potential impact of changes in the
20 sensitive areas buffers on land availability.

21
22 Carol Dahl, 14828 39th Avenue NE, president of the Lake Forest Park Stewardship Foundation,
23 spoke in support of the draft sensitive areas ordinance and the Planning Commission
24 recommendations regarding the comprehensive plan update.

25
26 David Saunders, 17110 Hamlin Road NE, spoke in support of the Planning Commission's
27 recommendations and encouraged the council to restore and enhance the city's natural
28 environment.

29
30 Libby Fiene, 4014 NE 178th Street, spoke in support of the Planning Commission's zoning
31 recommendations and the draft sensitive areas ordinance to preserve our unique quality of life
32 in Lake Forest Park. She noted that she started the Good Stewards project because she
33 believes the preservation of the city's natural assets is essential to preserving our quality of life.

34
35 John Higgins, 17830 33rd Avenue NE, expressed his appreciation for the quality of life in Lake
36 Forest Park and questioned the need to consider changes to the current sewer system.

37
38 Donald J. Udhus, 19755 35th Avenue NE, expressed his concern regarding the potential impact
39 of the proposed sensitive areas ordinance on his plans for his property.

40
41 Roger Loschen, 3742 NE 187th Street, spoke in favor of the Planning Commission's
42 recommendations and spoke against a "cookie cutter" approach to zoning. He noted that this
43 was not the intent of the Growth Management Planning Policies.

44
45 Doug Mitchell, 16910 26th Avenue NE, spoke in support of the comprehensive plan changes.
46 He pointed out a potential discrepancy on the proposed land use map. He spoke in support of
47 the draft sensitive areas ordinance and commended the task force for their work.

48
49 Mike Quirk, 17548 Ballinger Way NE, spoke in support of the Planning Commission's zoning
50 recommendations.

51

1 Don Norman, 2112 NW 199th Street, Shoreline, Richmond Beach, a wildlife biologist and owner
2 of a small consulting business, spoke in support of the Planning Commission's
3 recommendations.
4
5 Richard Saunders, 3530 NE 182nd Street, spoke in support of the Planning Commission's
6 recommendations and urged council to adopt the proposed sensitive areas ordinance.
7
8 Yuichi Shoda, 16727 32nd Avenue NE, noted that everyone is downstream from someone and
9 upstream from someone. He urged council to support the Planning Commission's
10 recommendations regarding the comprehensive plan and the draft sensitive areas ordinance.
11
12 Bob James, 18025 29th Avenue NE, expressed his concern regarding the potential impact of the
13 proposed changes on his property.
14
15 Lucy Isaacson-Logen, 18941 Forest Park Drive NE, spoke in support of maintaining the current
16 zoning and the comments from representatives of the Stewardship Foundation.
17
18 Wendy Frank, 19815 55th Avenue NE, encouraged council to support the draft sensitive areas
19 ordinance as recommended by the Planning Commission.
20
21 Michael Howatt, 5123 NE 187th Street, expressed his concern regarding portions of the draft
22 sensitive areas ordinance addressing the steep slope hazard areas, landslide hazard areas and
23 the sections related to exemptions, partial exemptions and setback exemptions and reasonable
24 use exemptions. He noted that the ordinance makes no distinction between new development
25 and minor improvements on developed lots.
26
27 Peggy Stephenson, 18832 53rd Avenue NE, spoke in support of the Planning Commission's
28 recommendations relating to the zoning and the draft sensitive areas ordinance. She also spoke
29 about the quality of life supported by these recommendations.
30
31 Sadru Boga, 3211 NE 185th Street, spoke in support of the draft sensitive areas ordinance and
32 recommended adding flexibility for land not affected by sensitive areas.
33
34 Julian Andersen, 3377 NE 178th Street, chair of the Environmental Quality Commission and a
35 member of the sensitive areas ordinance task force, noted that the Environmental Quality
36 Commission supports the draft sensitive areas ordinance, endorsed the letter written by Don
37 Fiene regarding the sensitive areas ordinance, and supports the Planning Commission's
38 recommendations regarding zoning.
39
40 Liane Newman, 16715 32nd Place NE, spoke in support of the Planning Commission's zoning
41 recommendations and the draft sensitive areas ordinance. She noted that the sensitive areas
42 ordinance should be adopted before action on sewerage unsewered areas.
43
44 Morgan Kellock, 17200 Brookside Blvd. NE, spoke in support of the draft sensitive areas
45 ordinance, noted that it reflects the best available science and preserves our natural resources
46 and the quality of life here.
47
48 Rick Purn, 19201 37th Avenue NE, expressed his appreciation for the city's resources and vision
49 as a citizen and educator in Lake Forest Park.
50

1 Doug Hannam, 1512 Wetmore Avenue, Everett, said he represents the owner of 3803 NE 155th
2 Street. He noted a mapping error on the zoning map and noted various documents in support
3 of his research regarding the property.

4
5 Sara Jolivet, 16724 37th Avenue NE, spoke in support of current zoning and the draft sensitive
6 areas ordinance to protect the city's trees and the quality of life.

7
8 Rich Karschney, 20411 33rd Avenue NE, expressed his concern regarding the proposed limits
9 on density and increased buffers proposed in the sensitive areas ordinance.

10
11 Thomas Williamson-Kirkland, 17541 47th NE, spoke in support of the proposed zoning and
12 encouraged the council to preserve the unique character of the city.

13
14
15 At 8:56 p.m. the public hearing on the proposed update of the comprehensive plan and the draft
16 sensitive areas ordinance was continued to the April 14, 2005 council meeting.

17
18 A ten-minute recess was taken at 8:57 p.m.

19
20 The meeting was resumed at 9:14 p.m.

21 22 23 **MAYOR'S REPORT**

24
25 Hutchinson reported on the success of the Dig It Fair and provided information regarding group
26 homes and other issues of interest to the council. Cmbrs. Sterner and Kiest requested
27 additional information regarding zoning and other issues regarding group homes.

28
29 Hutchinson reported on King County Board of Health issues that included the avian flu virus. He
30 also noted his memo on the hiring freeze.

31
32 In response to a question from Cmbr. Armanini, Hutchinson said that the city engineer is
33 reviewing the county's offer regarding a utility easement related to the Brightwater project, and
34 this will be presented to the council at an upcoming meeting.

35 36 37 **ADOPTION OF AGENDA**

38
39 Hutchinson noted that items 2 and 3, March 17, 2005 Council Special Study Session Minutes
40 and March 17, 2005 Council Special Meeting Minutes are deleted from the consent calendar.

41
42 Armanini requested to move item 7, Approve Merit Increase fro City Administrator from the
43 consent calendar to the first reading calendar.

44
45 **Thompson moved** to adopt the agenda as amended. **Sterner seconded. The motion carried**
46 **unanimously.**

1 **CITIZEN COMMENTS**

2
3 Marjorie Ando, 3920 NE 157th Place, spoke in support of the work of several commissions on
4 the comprehensive plan update and the sensitive areas ordinance and encouraged adoption by
5 the council.
6

7
8 **FINAL CONFIRMATION CALENDAR**

9 **Tom French, Economic Development Commission, Position 5, term ending 3/31/2008**

10
11 **Cmbr. Herzog moved** to confirm Tom French to serve on the Economic Development
12 Commission, Position 5, term ending 3/31/2008. **Goss seconded.**

13
14 Armanini spoke in opposition to the confirmation of Tom French and expressed her concern
15 regarding his remark in an email message sent to King County stating "...the city has a history
16 of making records disappear...."

17
18 Thompson also spoke in opposition and stated he would vote against confirming French.

19
20 Goss stated she was sorry that there is disagreement on this confirmation. She noted her
21 support for his confirmation.
22

23 Cmbr. Olstad said he was pleased that Mr. French is willing to volunteer but was disappointed
24 when he read his email message to King County. Therefore, he will not support confirmation of
25 Mr. French unless he is convinced to vote otherwise by arguments in support by
26 councilmembers.
27

28 Herzog stated he found Mr. French to be a well-spoken prospective commissioner and said that
29 he would support confirmation of Mr. French to the Economic Development Commission.
30

31 Sterner said he concurred with Cmbr. Herzog's comments and stated that Mr. French's thoughts
32 and ideas were well balanced and would bring some new insight to the Economic Development
33 Commission.
34

35 Thompson said that he would be willing to postpone action to an upcoming meeting if Mr.
36 French could provide written clarification and retraction of the statement in his email message.
37

38 Following further discussion, **the motion to confirm Tom French to serve on the Economic**
39 **Development Commission failed 3-4 (Aye—Herzog, Goss, Sterner; Nay—Kiest, Armanini,**
40 **Thompson, Olstad).**

41
42
43 **Kiest moved** to re-appoint commissioners as follows:

44		
45	<u>Economic Development Commission</u>	<u>Planning Commission</u>
46	Jeff Weissman, Position 4	Shary Van, Position 6
47	Rik Jones, Position 6	
48		
49	<u>Human Services Commission</u>	<u>Public Safety Commission</u>
50	Rick Stendera, Position 4	Burton Bard, Jr., Position 5
51	Judith Mackenzie, Position 5	

1
2 Parks and Recreation Commission

3 Jodi Waltier, Position 4

Transportation Commission

Peggy Gerdes, Position 4

John Wright, Position 5

David Carlton, Position 6

7 **Armanini seconded. The motion carried unanimously.**

10
11 **CONSENT CALENDAR**

12
13 **Thompson moved** to approve the consent calendar as follows:

- 14
15 1. March 10, 2005 Council Regular Meeting Minutes
16 2. March 24, 2005 Finance Committee Report covering warrant nos. 47408 through 47488
17 drawn from the claims clearing fund in the amount of \$112,618.24 and warrant nos. 28197
18 through 28279 drawn from the payroll clearing fund in the amount of \$156,179.41.
19 Automatic withdrawal from the checking account in the amount of \$614.28 for monthly bank
20 service fees.

21
22 **Olstad seconded. The motion carried unanimously.**

23
24
25 **FIRST READING CALENDAR**

26 **Resolution 912/Authorizing Mayor to Sign Agreement with Milliman for Compensation**
27 **Study**

28
29 **Thompson moved** to advance Resolution 912/Authorizing Mayor to Sign Agreement with
30 Milliman for Compensation Study to the second reading calendar to the May 12, 2005 regular
31 council meeting. **Kiest seconded. The motion carried unanimously.**

32
33
34 **Approve Merit Increase for City Administrator**

35
36 **Thompson moved** to take Approve Merit Increase for City Administrator out of order and to
37 place it under Executive Session for discussion at that time. **Kiest seconded. The motion**
38 **carried unanimously.**

39
40
41 **Resolution 913/Authorizing Mayor to Accept Public Works Trust Fund Loan**
42 **Resolution 914/Authorizing the Financing Approach for Provision of Sewer Service to**
43 **Unsewered Areas**
44 **Resolution 915/Authorizing the Mayor to Sign Financial Services Agreement with Steve**
45 **Gaidos**
46 **Resolution 916/Directing the Mayor to Not Complete the Hiring of an Engineering**
47 **Technician/Capital Projects Grantwriter**

48
49 **Thompson moved** to place the following to second reading calendar:

50
51 **Resolution 913/Authorizing Mayor to Accept Public Works Trust Fund Loan**

1 Resolution 914/Authorizing the Financing Approach for Provision of Sewer Service to
2 Unsewered Areas
3 Resolution 915/Authorizing the Mayor to Sign Financial Services Agreement with Steve Gaidos
4 Resolution 916/Directing the Mayor to Not Complete the Hiring of an Engineering
5 Technician/Capital Projects Grantwriter
6

7 **Olstad seconded. The motion carried unanimously.**
8
9

10 **Ordinance 928/Regulating Use of City's Rights of Way for Telecommunication Services**
11

12 **Thompson moved** to advance Ordinance 928/Regulating Use of City's Rights of Way for
13 Telecommunication Services to the second reading calendar at the April 14, 2005 regular
14 council meeting. **Kiest seconded. The motion carried unanimously.**
15
16
17

18 **SECOND READING CALENDAR**

19 **Resolution 906/Authorizing Mayor to Sign Joint Use Agreement with Shoreline School
20 District**
21

22 **Armanini moved** that Resolution 906/ Authorizing Mayor to Sign Joint Use Agreement with
23 Shoreline School District remain on the second reading calendar for the April 14, 2005 regular
24 council meeting. **Kiest seconded. The motion carried unanimously.**
25
26

27 **Resolution 916/Directing the Mayor to Not Complete the Hiring of an Engineering
28 Technician/Capital Projects Grantwriter**
29

30 **Thompson moved** to adopt Resolution 916/Directing the Mayor to Not Complete the Hiring of
31 an Engineering Technician/Capital Projects Grantwriter. **Kiest seconded.**
32

33 Kiest noted this resolution comes to council as recommended by the Council Budget
34 Committee. He noted this is paired with another motion that will ask this council to take up the
35 budget proviso regarding the Community and Government Affairs Manager position on May 12,
36 2005.
37

38 Kiest said that the council is looking at essentially two choices-- to leave the 2005 budget intact
39 or to amend the 2005 budget by deleting one particular position. He said the resolution would
40 allow the Budget Committee to contemplate the possibility of a third alternative to achieve the
41 policy objectives that are contained in the proviso. Kiest said that the Council ultimately is the
42 arbiter in this, but the Budget Committee is its servant in trying to bring forth discrete policy
43 options that capture enough value so that one of them will find favor by the majority of the
44 council. Kiest noted that along with the later motion to hold the proviso to May 12, 2005, this
45 resolution would allow the Budget Committee more freedom to maneuver in bringing forth more
46 policy options for council consideration.
47

48 Sterner said that at some point the hiring process for this position must be allowed regardless of
49 the fact that the council may be wrestling with the proviso, unless the Budget Committee really
50 thinks that that analysis regarding the Engineering Technician was not adequate at the time it

1 was approved and is no longer needed. He expressed concern that this position is being held
2 up when it was well justified during the budget process.

3
4 Hutchinson discussed his implementation of a hiring freeze and noted his interest in identifying
5 and focusing on the issue of budget planning. He asked the council to take the discussion to the
6 fundamental question: Do we have enough money for future years, or do we need to cut
7 services and positions?

8
9 Thompson said that the sole purpose of this resolution is that larger issues need to be resolved
10 before hiring for this position.

11
12 Olstad said that he wonders about the will of the council with regard to the budget for this year.
13 He noted that Kiest said that a companion motion would postpone until May 12 the action on the
14 budget proviso as it relates to the Community and Government Affairs Manager position. He
15 said that he has supported previous postponements but finds it increasingly difficult to do so
16 because there is a person in that position and postponing that person's future does not reflect
17 too well on this council. He also expressed his concern regarding the morale of the city staff,
18 and he said that the community would not look upon this council with favor if the council
19 continues to postpone action on its proviso regarding the Community and Government Affairs
20 position.

21
22
23 **Armanini moved** to extend the meeting for 15 minutes with adjournment at 10:45 p.m. **Goss**
24 **seconded. The motion carried unanimously.**

25
26
27 Following further discussion, **Herzog moved** to insert the following language:

28
29 Line 30:

30
31 "...or such time as the council approves a motion to rescind the effects of this resolution."

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

34
35
36 **The motion to approve Resolution 916 carried 4-3 (Aye—Kiest, Armanini, Thompson,**
37 **Herzog; Nay—Goss, Olstad, Sterner).**

38
39
40
41 **Resolution 913/Authorizing Mayor to Accept Public Works Trust Fund Loan**

42
43 **Herzog moved** to schedule Resolution 913/Authorizing Mayor to Accept Public Works Trust
44 Fund Loan on the second reading calendar at the April 14, 2005 regular council meeting.

45
46 **Armanini seconded. The motion carried unanimously.**

1 **Resolution 914/Authorizing the Financing Approach for Provision of Sewer Service to**
2 **Unsewered Areas**

3
4 **Herzog moved** to schedule Resolution 914/Authorizing the Financing Approach for Provision of
5 Sewer Service to Unsewered Areas on the second reading calendar at the April 14, 2005
6 regular council meeting.

7
8 **Olstad seconded. The motion carried unanimously.**
9

10
11
12 **Resolution 915/Authorizing the Mayor to Sign Financial Services Agreement with Steve**
13 **Gaidos**

14
15 **Herzog moved** to adopt Resolution 915/Authorizing the Mayor to Sign Financial Services
16 Agreement with Steve Gaidos. **Armanini seconded.**
17

18
19 **Thompson moved** to extend the meeting to 11:00 p.m. **Kiest seconded. The motion carried**
20 **6-1 (Aye—Kiest, Thompson, Herzog, Goss, Sterner, Olstad; Nay—Armanini).**
21

22
23 In response to a question from Kiest, Finance Director John Hawley discussed the qualifications
24 of Steve Gaidos.

25
26 **The motion to approve Resolution 915/Authorizing the Mayor to Sign Financial Services**
27 **Agreement with Steve Gaidos carried unanimously.**
28

29
30 **FINAL ACTION CALENDAR**

31 **Rescind Rejection of Ordinance 906/Relating to Legal Nonconforming Signs**

32
33 **Sterner moved** to rescind the Rejection of Ordinance 906/Relating to Legal Nonconforming
34 Signs. **Herzog seconded.**
35

36 **The motion carried 4-3 (Aye—Olstad, Sterner, Herzog, Goss; Nay—Kiest, Armanini,**
37 **Thompson).**
38

39
40 **NEW BUSINESS**

41 **Reports—Council**

42
43 Thompson stated the Rules Committee recommends scheduling an April 21, 2005 special
44 council meeting to work on the comprehensive plan update and the proposed sensitive areas
45 ordinance.

46
47 After further discussion, the council agreed to schedule a special meeting on April 20, 2005
48 beginning at 7:30 p.m.

49
50
51 Goss reported on SeaShore Transportation and Sound Transit issues.

1 At 10:58 p.m., Hutchinson noted that the next item on the agenda is an executive session for
2 discussion of personnel matters for approximately 20 minutes. Those not required to remain for
3 the executive session exited the council chambers at this time.

4
5 Armanini exited the meeting at 10:58 p.m.

6
7

8 **Executive Session**
9 **Personnel Issues**

10

11 The meeting was recessed to executive session at 10:59 p.m. for approximately 20 minutes for
12 discussion of personnel matters.

13

14 At 11:20 p.m., the executive session was extended for approximately 20 minutes.

15

16 The regular meeting was resumed at 11:38 p.m.

17

18

19 **Approve Merit Increase for City Administrator**

20

21 **Herzog moved** to approve a one-time **merit** bonus in the amount of \$1,500 for the City
22 Administrator. **Thompson seconded. The motion carried unanimously.** (Approved by Council
23 4/14/05)

24

25

26 **ADJOURNMENT**

27

28 There being no objection, the meeting was adjourned at 11:39 p.m.

29

30

31

32

33 _____
Susan Stine, City Clerk

34

35

36

37

38 _____
David R. Hutchinson, Mayor