

**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
April 28, 2005**

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

Councilmember excused: Alan Kiest

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: 75 visitors

CALL TO ORDER

Mayor Hutchinson called the meeting to order at 7:35 p.m.

FLAG SALUTE

Cmbr. Olstad led council in the pledge of allegiance.

RECOGNITION

Lake Forest Park Commissioners

Mayor Hutchinson recognized the thousands of hours that volunteers have given to the city by serving on the various commissions, committees and task forces. He recognized the retiring commissioners and chairs and described programs and activities that they have been involved in. He presented certificates of appreciation to the retiring commissioners on behalf of the city of Lake Forest Park.

AAUW Award to Lake Forest Park Resident and Volunteer Teri Howatt

Linda Cantrell, Program Chair, Bothell Shoreline Branch, American Association of University Women, said that the association has a tradition of presenting an award annually in recognition of an outstanding woman of our community. She said that this year the association is pleased to present the award to Lake Forest Park resident and community volunteer Teri Howatt.

Tree City USA Award

Hutchinson noted that the city of Lake Forest Park has been selected for the second year to receive the Tree City USA designation. He read the proclamation in recognition of Earth Day and Arbor Day. Hutchinson introduced Bob Bannon, Washington State Department of Natural

1 Resources, representing the National Arbor Day Foundation. Mr. Bannon said that the city of
2 Lake Forest Park is a second year recipient of the Tree City USA award and presented a flag
3 and plaque to Mayor Hutchinson.
4

5 6 **Lake Forest Park Stewardship Foundation** 7

8 Hutchinson then presented a special award to the Lake Forest Park Stewardship Foundation for
9 its stewardship of the city's natural environment. On behalf of the city of Lake Forest Park,
10 Hutchinson expressed appreciation for the foundation's efforts to preserve and enhance the
11 city's parks and open spaces.
12

13 Carol Dahl, president of the Lake Forest Park Stewardship Foundation, accepted the award on
14 behalf of the foundation and its members and thanked Mayor Hutchinson and the city council for
15 the award in recognition of the foundation's work.
16

17
18 A ten-minute recess was taken at 8:00 p.m.
19

20 The meeting was resumed at 8:12 p.m.
21

22 23 **LEGISLATIVE REPORT/ STATE SENATOR DARLENE FAIRLEY** 24

25 Hutchinson welcomed State Senator Darlene Fairley and expressed his appreciation for
26 Senator Fairley's work on behalf of the community and its residents.
27

28 Senator Fairley reported on the recent legislative session and issues related to the environment,
29 court and the judiciary, education, taxes on liquor and cigarettes, the estate or inheritance tax,
30 and the gas tax increase and transportation, identity theft, and homelessness. She noted that
31 funding for community networks has been reduced, cost recovery for incarceration was
32 increased and the deadline for completion of the comprehensive plan update had been
33 extended for some cities. Fairley praised the students who testified in Olympia regarding the
34 teen court program.
35

36 37 **MAYOR'S REPORT** 38

39 Hutchinson noted that community activist and Lake Forest Park resident Frank Ruano passed
40 away recently. Hutchinson reported on the April 25 joint dinner meeting of the Shoreline School
41 Board and Lake Forest Park councilmembers. He reported that the council had toured a
42 business on Bothell Way and discussed issues related to a group home business.
43

44 As requested by Mayor Hutchinson, Community and Government Affairs Manager Sarah
45 Phillips provided a brief report on the recent meeting of the Burke Gilman Trail Redevelopment
46 Study Citizens Advisory Group.
47

48 **ADOPTION OF AGENDA** 49

50 **Cmbr. Thompson moved** to adopt the council regular meeting agenda as proposed **Cmbr.**
51 **Armanini seconded.**

1
2 Cmbr. Armanini requested to add on the Consent Calendar, Item 5, Excuse Cmbr. Kiest from
3 the April 28, 2005 council meetings.
4

5 Hutchinson requested that Resolution 919/Authorizing Mayor to Sign Agreement with
6 Mithun/Heartland for Guidelines for Town Center Development be taken as item 1 on the first
7 reading calendar to accommodate the firms' representatives who are present.
8

9 **The motion to adopt the agenda as amended carried unanimously.**

10
11
12 **CITIZEN COMMENTS**

13
14 Ron Ottele, 17826 40th Ave. NE, expressed his concern regarding the Fodor Homes cottage-
15 style institution and its impact on his neighborhood. He said that the institution has grown to 10
16 homes and asked for the council's help in regulating the business.
17

18 Chris Sheehan, 17837 40th Ave. NE, provided copies of various letters and information for the
19 council. He said Fodor Homes is a business in a residential neighborhood, and it has grown out
20 of control.
21

22 Diane Sheehan, 17837 40th Ave. NE, said that she had supported the work of Susan Fodor, but
23 she cannot support the way the institution has affected the neighborhood. She described how
24 houses in her neighborhood had been purchased for use by Fodor Homes, and she said that
25 her home is surrounded by the institution.
26

27 Jim Small, 17885 40th Ave. NE, said his family just built a new home and believed that they
28 were moving into a residential area. He said that the neighborhood is more like a campus of
29 institutional group homes, which is undermining the integrity of the single-family residential
30 zoning. He asked the city council to enforce the single family zoning regulations and to keep the
31 residents in mind as it considers the impacts of the group homes.
32

33 John Higgins, 17830 33rd Ave. NE, expressed his concern regarding the issue of building a
34 sewer system for unsewered areas. As a 30-year resident, he said his septic system is working
35 fine and is in better condition than the city's aging sewer system.
36

37 Joe Resing, 3814 NE 178th St., expressed his concern regarding Fodor Homes and said he did
38 not believe that this is what was envisioned when fair housing regulations were adopted. He
39 distributed information regarding the siting of group homes and said that his research shows
40 that the density of these homes in his neighborhood exceeds what exists in other cities. He said
41 that the size of the institution has generated a lot of hostility in his neighborhood.
42

43 Liz Braun, 17856 40th Ave. NE, said that she works at Fodor Homes and lives in Lake Forest
44 Park. She stated there are currently six operating group homes. She expressed concern
45 regarding recent incidents involving photographs being taken of the children, which is a violation
46 of state law. She said that Fodor Homes wants to be a good neighbor, but they have received
47 no response to date to an invitation to meet with the neighbors to discuss their concerns. Braun
48 said that Fodor Homes has had a flawless record for 20 years in working with children and have
49 had no safety or traffic issues.
50

1 Peter Ottele, 17038 44th Ave. NE, said that he grew up in the 40th Avenue neighborhood and
2 has purchased a home in Lake Forest Park. He said the old neighborhood is not the same now
3 because of the impact of the group homes.
4

5 John Gwazdauskas, 3722 NE 180th St., said that the character of the neighborhood has
6 changed. He said there is now an institution in our back yards, and it is unsettling that this
7 change could happen without notification to the neighborhood. He would like to see a peaceful
8 settlement so that we can all live happily in Lake Forest Park.
9

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11 **FINAL CONFIRMATION CALENDAR**

12 **Margaret Anderson, Public Safety Commission, Position 4, term ending 3/31/08**

13 **Sandy Koppenol, Planning Commission, Position 4, term ending 3/31/08**

14 **Judy Altman, Parks and Recreation Commission, Position 4, term ending 3/31/08**
15

16 **Thompson moved** to confirm the following appointments to commissions:
17

- 18 1. Margaret Anderson, Public Safety Commission, Position 4, term ending 3/31/08
- 19 2. Sandy Koppenol, Planning Commission, Position 4, term ending 3/31/08
- 20 3. Judy Altman, Parks and Recreation Commission, Position 4, term ending 3/31/08
21

22 **Cmbr. Olstad seconded. The motion carried unanimously.**
23
24

25 At the request of Cmbr. Goss and after some discussion, **Thompson moved** to reconsider the
26 motion to approve the commission appointments. **Cmbr. Sterner seconded. The motion to**
27 **reconsider carried unanimously.**
28

29 **Cmbr. Goss moved** to separate the final confirmation of nominee Margaret Anderson for the
30 Public Safety Commission from the final confirmation of nominees Sandy Koppenol and Judy
31 Altman. **Thompson seconded. The motion carried unanimously.**
32
33

34 **Sandy Koppenol, Planning Commission, Position 4, term ending 3/31/08**

35 **Judy Altman, Parks and Recreation Commission, Position 4, term ending 3/31/08**
36

37 **Thompson moved** to confirm the following appointments to commissions:
38

- 39 1. Sandy Koppenol, Planning Commission, Position 4, term ending 3/31/08
- 40 2. Judy Altman, Parks and Recreation Commission, Position 4, term ending 3/31/08
41

42 **Armanini seconded. The motion carried unanimously.**
43
44

45 **Margaret Anderson, Public Safety Commission, Position 4, term ending 3/31/08**
46

47 **Thompson moved** to confirm Margaret Anderson to serve on the Public Safety Commission,
48 position 4, term ending 3/31/08. **Olstad seconded.**

1
2 Olstad noted receipt of a petition objecting to the confirmation of Margaret Anderson to serve on
3 the Public Safety Commission. He said that the arguments against confirmation are not
4 relevant, and he will vote for her confirmation.

5
6 Goss said that she does not believe that she has ever seen so many citizens opposed to a
7 nominee, and she will honor the citizens who object to the appointment and will vote against
8 confirmation.

9
10 Thompson said he had received an e-mail message regarding this appointment and found no
11 reason to deny confirmation of the nominee. He invited other citizens to apply for commission
12 positions.

13
14 Cmbr. Sterner said that he is persuaded by Cmbr. Thompson's arguments and will vote for Ms.
15 Anderson's confirmation.

16
17 Olstad stated for the record Ms. Anderson has extensive experience with public safety
18 organizations.

19
20 Goss again expressed her concern regarding the appointment of Ms. Anderson to the Public
21 Safety Commission.

22
23 **The motion to confirm carried 5-1 (Aye—Armanini, Thompson, Herzog, Olstad, Sterner;**
24 **Nay—Goss).**

25
26
27 **CONSENT CALENDAR**

28
29 **Thompson moved** to approve the consent calendar as follows:

- 30
31 1. April 14, 2005 Council Study Session Meeting Minutes
32 2. April 14, 2005 Council Regular Meeting Minutes
33 3. April 28, 2005 Finance Committee Report covering warrant nos. 47613 through 47689
34 drawn from the claims clearing fund in the amount of \$\$440, 350.63 and warrant nos. 28369
35 through 28446 drawn from the payroll clearing fund in the amount of \$158,807.50.
36 4. Excuse Cmbr. Kiest from the April 28, 2005 Regular Meeting

37
38 **Armanini seconded.**

39
40 Armanini requested to pull the April 14, 2005 council regular meeting minutes.

41
42 **Armanini moved to amend** the minutes as follows:

43
44 Page 6, line 38: "...sustaining sustainable..."

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

47
48 **The motion to approve the consent calendar as amended carried unanimously.**
49
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1
2 **FIRST READING CALENDAR**
3 **Resolution 919/Authorizing Mayor to Sign Agreement with Mithun/Heartland for**
4 **Guidelines for Town Center Development**

5
6 **Thompson moved** to advance Resolution 919/Authorizing Mayor to Sign Agreement with
7 Mithun/Heartland for Guidelines for Town Center Development to second reading calendar.
8 **Armanini seconded. The motion carried unanimously.**
9

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11 **SECOND READING CALENDAR**
12 **Resolution 919/Authorizing Mayor to Sign Agreement with Mithun/Heartland for**
13 **Guidelines for Town Center Development**

14
15 Following a brief discussion regarding the selection process, Hutchinson invited representatives
16 of Mithun/Heartland to present information regarding their firm's approach to the proposed
17 project.
18

19 Matt Anderson, project manager, Heartland and Bryon Zeigler, Mithun, said that their approach
20 would help the city achieve its goals regarding the Town Center through the development of a
21 framework plan and changes in zoning. The framework plan is intended to set the stage for a
22 more detailed agreement but would include a lot of the specific design parameters required in
23 design guidelines. He noted that their approach would be more specific to the Town Center
24 property, and the process would prepare the way for a developer agreement. This approach
25 would involve the present owner and potential buyers or developers.
26

27 In response to a question from Armanini, City Administrator Karen Haines stated the city's
28 project management team would consist of three councilmembers from the local governance
29 committee, Cmbrs. Olstad, Goss and Sterner, two members of the planning commission, Jeff
30 Foster and Shary Van, and one citizen at large, Lloyd Skinner.
31

32 In response to a question from Herzog, the consultants discussed their communication with the
33 city council and noted that the work plan includes two meetings with the council during this
34 process.
35

36 **Thompson moved** to adopt Resolution 919/Authorizing Mayor to Sign Agreement with
37 Mithun/Heartland for Guidelines for Town Center Development. **Olstad seconded.**
38

39 **Goss moved** to amend Resolution 919 as follows:
40

41 Page 1, line 16: "...and... ~~three~~ two planning commissioners and one prior planning
42 commissioner ;and
43

44 **Herzog seconded. The motion to amend carried unanimously.**
45

46
47 **Goss moved** to amend the agreement as follows:
48

49 Page 1, line 12: ~~three~~ two (~~3~~) (2) planning commissioners and ...
50

51 **Armanini seconded. The motion to amend carried unanimously.**

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Goss moved to amend the agreement as follows:

Page 2, line 14 and 22: "...to city. ~~upon request...~~"

The motion died for lack of a second.

The motion to adopt Resolution 919 as amended carried unanimously.

FIRST READING CALENDAR
Resolution 918/Authorizing Mayor to Sign Agreement with Friends of Third Place Commons for Farmers Market and Cultural, Recreational and Educational Events for the Public

Thompson moved to advance Resolution 918/Authorizing Mayor to Sign Agreement with Friends of Third Place Commons for Farmers Market and Cultural, Recreational and Educational Events for the Public to second reading calendar.

Sterner seconded. The motion carried unanimously.

Ordinance 929/Refunding City Hall Debt

Finance Director John Hawley reviewed issues related to the proposed ordinance and discussed his work with various consultants to prepare the necessary documents. Hawley noted that the ordinance must be adopted at the May 12, 2005 meeting.

Councilmember agreed to schedule discussion of Ordinance 929/Refunding City Hall Debt for the May 12, 2005 study session in preparation for action at the regular meeting.

Ordinance 930/Repealing and Adding New Chapter 16.16, "Environmentally Sensitive Areas"

With the consent of the council, Ordinance 930/Repealing and Adding New Chapter 16.16, "Environmentally Sensitive Areas" was advanced to the May 12, 2005 regular council meeting second reading calendar.

Ordinance 931/Adopting Regulations, Imposing Excise Tax for Use of Septic Systems

With the consent of the council, Ordinance 931/Adopting Regulations, Imposing Excise Tax for Use of Septic Systems was advanced to the May 12, 2005 regular council meeting second reading calendar.

1 **SECOND READING CALENDAR**

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

4
5 Herzog reviewed various points in the proposed financing approach for provision of sewer
6 service including use of real estate excise tax (REET) funds, use of septic systems, connection
7 to the sewer system and payment for sewers.
8

9
10 **Herzog moved** to amend Attachment A at points 12, 13, 14 and 15 as follows:

11
12 “...sewer availability charge...”
13

14 **Thompson seconded.**

15
16 Herzog noted that from prior discussions, levying the excise tax would be the preferred
17 alternative of the two options.
18

19 **The motion to amend carried unanimously.**

20
21
22 **Herzog moved** to amend Attachment A as follows:

23
24 Line 30: 13”... excise tax would be the equivalent of the City’s local portion...”
25

26 **Thompson seconded. The motion to amend carried unanimously.**
27
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30 **Resolution 913/Authorizing Mayor to Accept Public Works Trust Fund Loan**

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32 **Herzog moved** to adopt Resolution 913/Authorizing Mayor to Accept Public Works Trust Fund
33 Loan
34

35 **Armanini seconded. The motion carried unanimously.**
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39 **Resolution 914/Authorizing the Financing Approach for Provision of Sewer Service to**
40 **Unsewered Areas**

41
42 **Herzog moved** to adopt Resolution 914/Authorizing the Financing Approach for Provision of
43 Sewer Service to Unsewered Areas.
44

45 **Armanini seconded. The motion carried unanimously.**
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3 **Resolution 918/Authorizing Mayor to Sign Agreement with Friends of Third Place**
4 **Commons for Farmers Market and Cultural, Recreational and Educational Events for the**
5 **Public**
6

7 **Thompson moved** to adopt Resolution 918/Authorizing Mayor to Sign Agreement with Friends
8 of Third Place Commons for Farmers Market and Cultural, Recreational and Educational Events
9 for the Public. **Olstad seconded. The motion carried unanimously.**

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13 **NEW BUSINESS**
14 **Reports—Council**
15

16 Thompson reported that the Rules Committee outlined the various topics for discussion for the
17 remainder of the year. Discussion followed on the timeline and various items to be completed.
18

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20 Goss reported on the SeaShore Transportation Forum and reported on a discussion of benefits
21 from a possible monorail route.
22

23
24 **Community and Government Affairs Manager Position**
25

26 Hutchinson reported that the administration has revised the job description for the community
27 and government affairs manager and distributed copies for council review.
28

29 Goss indicated that she had heard about a grant-writing group charging \$25 per hour and
30 recommended that the administration investigate further.
31

32
33 At 10:54 p.m., Hutchinson noted that the next item on the agenda is an executive session for
34 discussion of labor negotiations for approximately five minutes. Those not required to remain
35 for the executive session exited the council chambers at this time.
36

37
38 **Executive Session**
39 **Labor Negotiations**
40

41 The meeting was recessed to executive session at 10:57 p.m. for approximately five minutes for
42 discussion of labor negotiations.
43

44 The regular meeting was resumed at 11:07 p.m.
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1 **ADJOURNMENT**

2

3 There being no objection, the meeting was adjourned at 11:08 p.m.

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8 _____
Susan Stine, City Clerk

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12 _____
David R. Hutchinson, Mayor

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