

**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
June 9, 2005**

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; Sarah Phillips, Community and Government Affairs Program Manager; Stephen Bennett, Building and Planning Director; Susan Stine, City Clerk

Others present: 20 visitors

CALL TO ORDER

Mayor Hutchinson called the meeting to order at 7:30 p.m.

FLAG SALUTE

Cmbr. Herzog led council in the pledge of allegiance.

RECOGNITION Ilana Barnes, Girl Scout Gold Award for Lake Forest Park History Project

Mayor Hutchinson introduced Ilana Barnes, recipient of the Girl Scout Gold Award for her Lake Forest Park history project. Community and Government Affairs Program Manager Sarah Philips described Ms. Barnes' project and noted that it will be added to the city's website soon. Ms. Barnes made a brief presentation to the council about her research regarding the history of Lake Forest Park and provided a preview of the history page for the city website.

Hutchinson called for a five-minute recess at 7:35 p.m.

The meeting was resumed at 7:41 p.m.

MAYOR'S REPORT

Hutchinson reported on the community meeting regarding Fodor Homes and said the focus of the discussion was the community impact. Representatives from various agencies were present and provided perspective on regulations governing group homes. He noted that information will

1 be posted on the city website. He also reported on a meeting with Onnuri Church
2 representatives and a recent Suburban Cities meeting. He noted that the garden tour will take
3 place on June 11 and the first farmers market will be June 12.
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6 **ADOPTION OF AGENDA**
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8 **Cmbr. Thompson moved** adoption of the agenda. **Cmbr. Goss seconded.** Hutchinson noted
9 that an executive session is scheduled for discussion of potential litigation. He also noted the
10 Adopt A Stream Foundation report has been postponed. **The motion carried unanimously.**
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13 **CITIZEN COMMENTS**
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15 Carin Olson, 5213 NE 180th St., spoke in opposition of Ordinance 909 and urged council not to
16 enact Ordinance 909 but to await the report and recommendations from the Burke Gilman Trail
17 Citizen Advisory Group.
18

19 Chris Sheehan, 17837 40th Ave., NE, read his letter into the record regarding his concerns
20 about Fodor Homes and provided a file of information to the city attorney.
21

22 Jean Thomas, 18217 Ballinger Way NE, expressed her concern regarding information being
23 circulated on Fodor Homes and expressed her support for the services being provided there.
24

25 Karen True, 17171 Bothell Way NE, Director of Friends of Third Place Commons, gave an
26 update on the farmers' market signage. She encouraged everyone to attend the opening day on
27 Sunday, June 12.
28

29 Ros Bird, 16061 37th Avenue NE, Lake Forest Park Arts Council, said she appreciates
30 opportunities for collaboration and partnership and noted that Arts Council events are scheduled
31 as part of the farmers' market. She also provided information regarding the Shoreline Arts
32 Festival June 25 and 26.
33

34
35 **Excuse Cmbr. Armanini**
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37 **Thompson moved** to excuse Cmbr. Armanini from tonight's council meetings. **Cmbr. Goss**
38 **seconded. The motion carried unanimously.**
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41 **CONSENT CALENDAR**
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43 **Thompson moved** to approve the consent calendar as follows:
44

- 45 1. May 26, 2005 Council Study Session Meeting Minutes
- 46 2. May 26, 2005 Council Regular Meeting Minutes
- 47 3. June 9, 2005 Finance Committee Report covering warrant nos. 47828 through 47902 in the
48 amount of \$262,011.23 drawn from the claims clearing fund and warrant nos. 28612 through
49 28701 in the amount of \$208,212.86 drawn from the payroll clearing fund.
50

1 **Goss seconded. The motion carried unanimously.**
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4 **FIRST READING CALENDAR**

5 **Resolution 923/Authorizing Mayor to Sign Interlocal Agreement with Snohomish County**
6 **Regional Task Force**
7

8 **Thompson moved** to advance Resolution 923/Authorizing Mayor to Sign Interlocal Agreement
9 with Snohomish County Regional Task Force to the second reading calendar as the last item.

10 **Cmbr. Olstad seconded. The motion carried unanimously.**
11
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13 **SECOND READING CALENDAR**

14 **Resolution 917/Accepting King County Offer for Brightwater Subsurface Utility Easement**
15

16 Hutchinson noted that the Lake Forest Park Water District has been asked to comment on this
17 easement as requested by Cmbr. Kiest. He said that this item would remain on the second
18 reading calendar. Kiest requested that the city attorney also comment on the easement issue.
19

20 **Thompson moved** to hold Resolution 917 on the second reading calendar for the June 23,
21 2005 regular council meeting. **Kiest seconded. The motion carried unanimously.**
22
23

24 **Ordinance 909/Amending LFPMC 18.52.48 Relating to Conditional User Permit**
25 **Requirements for Trails**
26

27 **Sterner moved** to hold Ordinance 909 on the second reading calendar for the June 23, 2005
28 regular council meeting. **Goss seconded. The motion carried unanimously.**
29

30 Following discussion, **Sterner moved** that a minimum of two weeks' notice will be provided prior
31 to final action on Ordinance 909. **Olstad seconded.** After further discussion, **the motion**
32 **carried unanimously.**
33
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35 **Ordinance 928/Regulating Use of City's Rights of Way for Telecommunication Services**
36

37 City Attorney Mike Ruark recommended several amendments for council consideration.
38

39 **Thompson moved** to amend Ordinance 928 as follows:
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41 Page 8, line 20: "...at the lawful discretion..."
42

43 **Kiest seconded. The motion carried unanimously.**
44
45

46 **Thompson moved** to amend Ordinance 928 as follows:
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48 Page 10, line 30: "... reasonably necessary, ... necessary and lawful..."

49 Line 31: "...city's police power authority over..."

50 Line 42: "...public interest as it relates to the right of way..."

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Olstad seconded. The motion carried unanimously.

Ruark noted on page 25, lines 41-45 there are blanks to the number of years where a master permit would be issued. Discussion followed on what would be a reasonable timeframe.

Sterner moved to amend Ordinance 928 as follows:

Page 25, line 43: "...than 5 years, ..."

Olstad seconded. The motion carried unanimously.

Sterner moved to amend Ordinance 928 as follows:

Page 25, line 45: "...1 years."

Kiest seconded. The motion carried unanimously.

Thompson moved to amend Ordinance 929 as follows:

Page 26, line 9: "~~4. Right of way permits shall be revocable at will.~~"

Kiest seconded. The motion carried unanimously.

Discussion followed on other aspects of the ordinance. **Thompson moved** to hold over Ordinance 928 to the June 23, 2005 regular council meeting. **Olstad seconded. The motion carried unanimously.**

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

Thompson referred to Amendment Sheet C dated June 8, 2005. He noted that the proposed amendments were discussed at the study session.

Thompson moved to adopt the amendments on Amendment Sheet C. **Sterner seconded. The motion carried unanimously.**

Thompson moved to hold over Ordinance 930 to the June 23, 2005 regular council meeting. **Olstad seconded. The motion carried unanimously.**

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

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4 Herzog stated the council finance committee will meet on June 10 to work on amendments to
5 Ordinance 931. Herzog moved to hold over Ordinance 931 to the June 23, 2005 regular
6 council meeting. Thompson seconded. The motion carried unanimously.
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9 **Ordinance 932/Adopting the “2005 Lake Forest Park Comprehensive Plan”**

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11 Planning and Building Director Steve Bennett noted this is a revised version of Amendment
12 Sheet A which he said adds a new policy to the land use section and a definition for siting
13 essential public facilities.

14
15 After some discussion regarding housing targets, Bennett noted he would propose amendments
16 to address council comments.

17
18 Thompson moved to hold over Ordinance 932 to the June 23, 2005 regular council meeting.
19 Olstad seconded. The motion carried unanimously.
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22 **Ordinance 934/Amending 2005 Budget, Establishing an Unsewered Areas Project Fund**
23 **and a Public Works Trust Repayment Fund, Appropriating Monies for Unsewered Areas**
24 **Project**

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26 Herzog noted the proposed ordinance would amend the budget to add a fund for monies
27 received from the Public Works Trust Fund. He said that the ordinance is already on the final
28 action calendar.

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31 **Resolution 923/Authorizing Mayor to Sign Interlocal Agreement with Snohomish County**
32 **Regional Task Force**

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34 Kiest noted amendments in the agreement identifying Lake Forest Park as a King County city.

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36 Kiest moved to adopt Resolution 923/Authorizing Mayor to Sign Interlocal Agreement with
37 Snohomish County Regional Task Force. Sterner seconded. The motion carried
38 unanimously.
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41 **FINAL ACTION CALENDAR**

42 **Ordinance 934/Amending 2005 Budget, Establishing an Unsewered Areas Project Fund**
43 **and a Public Works Trust Repayment Fund, Appropriating Monies for Unsewered Areas**
44 **Project**

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46 Herzog moved adoption of Ordinance 934/Amending 2005 Budget, Establishing an Unsewered
47 Areas Project Fund and a Public Works Trust Repayment Fund, Appropriating Monies for
48 Unsewered Areas Project. Goss seconded. The motion carried unanimously.
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1 **NEW BUSINESS**

2 **Reports—Council**

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4 Kiest reported that he and Cmbr. Goss had attended a YMCA strategic planning retreat. Goss
5 reported on the discussion about communication with a diverse population and the need for
6 more recreational opportunities for teens.

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9 Sterner reported on SeaShore and Sound Transit issues and his discussion with Sound Transit
10 board member Jack Crawford regarding additional park and ride opportunities. He suggested
11 that the administration draft a letter to Sound Transit requesting a firm commitment for Phase II
12 funding for expanding park and ride capacity and expanded service.

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15 **Northshore Utility District Dinner Meeting Invitation**

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17 Following a brief discussion of vacation schedules, councilmembers requested that the
18 administration decline the invitation from Northshore Utility District for a dinner meeting at this
19 time.

20
21 Herzog noted that he would attend an upcoming meeting of the Seattle King County Association
22 of Realtors.

23
24 Thompson requested a spreadsheet showing the Community Development Block Grant (CDBG)
25 allocation.

26
27
28 **Information regarding Telecommunications Franchise**

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30 Ruark discussed the cost to the city if underground placement of the cables is required.

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33 **Council Schedule**

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35 City Administrator Karen Haines noted that a two-hour study session on June 23, 2005 is
36 planned and said the regular meeting would begin at 8 p.m. Haines said that a representative
37 from Milliman would discuss the compensation study at the council study session. A
38 presentation on the sustainable budget policy would follow.

39
40 Goss noted that she would not be at the June 23, 2005 council meeting.

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43 **Excuse Cmbr. Thompson from the July 14, 2005 Regular Council Meeting**

44
45 **Herzog moved** to excuse Cmbr. Thompson on July 14, 2005. **Kiest seconded. The motion**
46 **carried unanimously.**

1 **Council Photograph**

2
3 Following a brief discussion, council agreed to have an official photograph taken on September
4 8, 2005.

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7 At 9:04 p.m., Hutchinson noted that the next item on the agenda is an executive session for
8 discussion of potential litigation for approximately 10 minutes. Those not required to remain for
9 the executive session exited the council chambers at this time.

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12 A three-minute recess was called for at 9:05 p.m.

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14 The meeting was resumed at 9:06 p.m.

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18 **EXECUTIVE SESSION**

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20 The meeting was recessed to executive session at 9:07 p.m. for approximately 10 minutes for
21 discussion of potential litigation.

22
23 There being no objection, the executive session was extended at 9:17 p.m. for an additional 10
24 minutes to continue discussion of potential litigation.

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26 The regular meeting was resumed at 9:29 p.m.

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29 **ADJOURNMENT**

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31 There being no objection, the meeting was adjourned at 9:30 p.m.

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35 _____
36 Susan Stine, City Clerk

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40 _____
41 David R. Hutchinson, Mayor