

**CITY OF LAKE FOREST PARK  
CITY COUNCIL MEETING MINUTES  
November 10, 2005**

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

**Councilmember excused:** Alan Kiest

**Councilmember absent:** 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; John Hawley, Finance Director; Stephen Bennett, Building and Planning Director; Frank Zenk, Director of Public Services; Tema Nesoff, Human Services and Parks Administrator; Susan Stine, City Clerk

**Others present:** 11 visitors

**CALL TO ORDER**

Mayor Hutchinson called the meeting to order at 7:39 p.m.

**FLAG SALUTE**

Cmbr. Thompson led council in the pledge of allegiance.

**PROCLAMATION – In Recognition of Veterans Day**

Mayor Hutchinson read the proclamation in recognition of Veterans Day and thanked all of those who have served our country in the armed forces. He noted that city hall offices would be closed Friday, November 11, in observance of Veterans Day.

**MAYOR'S REPORT**

Hutchinson congratulated Cmbr. Thompson on his recent promotion to colonel in the U.S. Army Reserves. He reported on the preliminary results of the November 8 election.

Hutchinson noted that the memorial service for Betsy Feasel is scheduled for Sunday, November 13, 2005 from 1:00 – 4:00 p.m. at the Civic Club, and he said that a tree would be planted in her honor.

1 **ADOPTION OF AGENDA**

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3 **Cmbr. Thompson** moved adoption of the agenda. **Cmbr. Olstad seconded.**

4  
5 Thompson stated he would like to complete the study session agenda immediately after the  
6 adoption of the agenda.

7  
8 Cmbr. Herzog noted he would prefer that this be done after citizen comments. **The maker and**  
9 **seconded accepted this as a friendly amendment, and the motion as amended carried**  
10 **unanimously.**

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12  
13 **CITIZEN COMMENTS**

14  
15 Anne Stadler, 18468 47<sup>th</sup> Pl. NE, thanked the Mayor and the City Council for supporting the  
16 Friends of Third Place Commons through the years. She briefly described some of the events  
17 provided by the organization, and she urged council to continue to support their efforts by  
18 including funding as proposed in the mayor's budget.

19  
20 Deb Butler, 2715 NE 184<sup>th</sup> Pl., noted the support of the Human Services Commission for  
21 Friends of Third Place Commons. She said that the commission appreciates the human  
22 services that are being provided through programs offered through Friends of Third Place  
23 Commons and asked council for their continued support as requested in the mayor's budget.

24  
25 Sally Renn, 3934 NE 157<sup>th</sup> Pl., noted that Lake Forest Park is a jewel as a community and the  
26 jewel in the jewel is Third Place Commons, which is the gathering place for the community. She  
27 urged council to support the mayor's budget request for Friends of Third Place Commons.

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30 **CITY COUNCIL STUDY SESSION BUDGET WORKSHOP (continued)**

31 **--Engineering**

32  
33 City Engineer Neil Jensen provided a brief review of the proposed engineering budget and  
34 discussed the various capital projects anticipated for the next several years.

35  
36  
37 **--Capital Improvement**

38  
39 Director of Public Services Frank Zenk described various capital improvement projects and  
40 facility improvements at city hall and at the public works facility. In response to a question from  
41 Cmbr. Olstad, City Administrator Karen Haines noted security issues are being reviewed and  
42 will be addressed when making improvements to city hall.

43  
44 Parks Administrator Tema Nesoff discussed improvements to the Grace Cole Nature Preserve  
45 Park and the associated costs to accomplish these improvements. She also described various  
46 park improvements anticipated at other parks in the city. She noted the Parks Commission's  
47 interest in installing a toddler playground at Eagle Scout Park and responded to questions from  
48 councilmembers.

1 Jensen discussed the road overlay program and proposed traffic calming projects. Herzog  
2 requested that council be provided with the list of proposed traffic calming projects.

3  
4  
5 A five-minute recess was taken at 8:40 p.m.

6  
7 The meeting was resumed at 8:49 p.m.

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9  
10 **FINAL CONFIRMATION CALENDAR**

11 **Gordon Stephenson, Economic Development Commission, Position 9, term ending**  
12 **3/31/2006**

13  
14 **Thompson moved** to confirm Gordon Stephenson to serve on the Economic Development  
15 Commission, position 9, term ending 3/31/2006. **Kiest seconded. The motion carried**  
16 **unanimously.**

17  
18  
19 **CONSENT CALENDAR**

20  
21 With the consent of the council, Thompson requested that Resolution 942/Authorize Acceptance  
22 of Sculpture for Animal Acres Park be moved to second reading calendar.

23  
24 **Thompson moved** to approve the consent calendar as follows:

- 25  
26 1. October 27, 2005 Council Study Session Minutes  
27 2. November 10, 2005 Finance Committee Report covering warrant nos. 48661 through 48734  
28 in the amount of \$417,051.51 drawn from the claims clearing fund and warrant nos. 29515  
29 through 29605 in the amount of \$214,827.01 drawn from the payroll clearing fund.  
30 3. Resolution 943/Accept Inflow and Infiltration Reduction Project

31  
32 **Herzog seconded. The motion to approve the consent calendar as amended carried**  
33 **unanimously.**

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35  
36 **FIRST READING CALENDAR**

37 **Resolution 939/Canceling Certain Warrants**

38  
39 **Thompson moved** to advance Resolution 939/Canceling Certain Warrants to second reading  
40 calendar. **Olstad seconded. The motion carried unanimously.**

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42  
43 **Resolution 944/Authorize Mayor to Sign Agreement with Huitt-Zollars for Transportation**  
44 **Engineering Assistance for Review of Design Standards and Proposals for Multi-Use**  
45 **Trails in Urban Areas**

46 **Ordinance 939/Adopting 2006 Sewer Rates**

47 **Ordinance 940/Setting 2006 Property Tax Levy**

48 **Ordinance 942/Authorizing the Expenditure of Funds for Transportation Engineering**  
49 **Services**

1 **Thompson moved** to advance the following to second reading calendar:

- 2
- 3 1. Resolution 944/Authorize Mayor to Sign Agreement with Huitt-Zollars for Transportation
- 4 Engineering Assistance for Review of Design Standards and Proposals for Multi-Use Trails
- 5 in Urban Areas
- 6 2. Ordinance 939/Adopting 2006 Sewer Rates
- 7 3. Ordinance 940/Setting 2006 Property Tax Levy
- 8 4. Ordinance 942/Authorizing the Expenditure of Funds for Transportation Engineering
- 9 Services

10

11 **Olstad seconded. The motion carried unanimously.**

12

13

14 **SECOND READING CALENDAR**

15 **Resolution 938/Establish 2006 Drainage Fee**

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17 **Thompson moved** to hold over Resolution 938/Establish 2006 Drainage Fee to the November

18 17, 2005 council special meeting. **Herzog seconded. The motion carried unanimously.**

19

20

21 **Ordinance 930/Repealing and Adding New Chapter 16.16, “Environmentally Sensitive**

22 **Areas”**

23

24 As recommended by the Building and Planning Director Steve Bennett, **Thompson moved** to

25 amend Ordinance 930 as follows:

26

27 **16.16.040 Definitions.**

28

29 ~~D. “Critical aquifer recharge areas” means those areas with a recharging effect on~~

30 ~~aquifers used for potable water and includes areas where an aquifer which is an essential~~

31 ~~source of drinking water is vulnerable to contamination that would create a significant hazard to~~

32 ~~public health.~~

33

34 D. “Wellhead Protection Area.” The surface and subsurface area surrounding a

35 water well or well head, supplying a public water system, through which contaminants are

36 reasonably likely to move toward and reach such water well or well head.

37

38 **Olstad seconded.**

39

40 Bennett briefly explained the amendment that he considered fairly generic.

41

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

43

44

45 **Thompson moved** to amend Ordinance 930 as follows:

46

47 **16.16.040 Definitions.**

48

49 T. “Recommended development practices” means guidelines for development in or

50 near sensitive areas as may be adopted utilized by the city Planning Director from time to time.

51

1 **Sterner seconded.**

2  
3 After a brief explanation by Bennett and discussion by council, **the motion to amend carried 4-**  
4 **1 (Aye—Thompson, Herzog, Sterner, Olstad); Nay—Goss).**

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6  
7 **Thompson moved** to amend Ordinance 930 as follows:

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9 **16.16.400 Enforcement.** Violations of this chapter shall be enforced as follows:

10  
11 A. Except as otherwise provided in this section 400, a A first offense shall be a civil  
12 infraction and proceeded against as provided in Chapter 18.71 LFPMC

13  
14 B. Except as otherwise provided in this section 400, a A Second offense shall be a  
15 civil violation subject to a fine not to exceed five thousand dollars (5000.00). Each day of  
16 violation shall be a separate offense. Civil violations shall be filed by civil complaint in the Lake  
17 Forest Park Municipal Court, which shall hear the matter without a jury.

18  
19 C. A third offense shall be a gross misdemeanor.

20  
21 D. Notwithstanding anything to the contrary in subsections A and B, the Planning  
22 Director may refer any violation for criminal prosecution as a gross misdemeanor if the Planning  
23 Director determines that the estimate cost of mitigation or restoration will exceed five thousand  
24 dollars, or that failure to comply with the provisions of this chapter result in environmental  
25 damage that, in the Planning Director's judgment, cannot be corrected by mitigation or  
26 restoration.

27  
28 E. Notwithstanding anything to the contrary in subsections A and B, any person who  
29 works in a sensitive area without obtaining a sensitive area permit, when such a permit is  
30 required, is guilty of a gross misdemeanor.

31  
32 F. Notwithstanding anything to the contrary in subsections A and B, any person who  
33 fails to comply with a stop work order issued under chapter 18.71 LFPMC with respect to a  
34 violation of this chapter shall be guilty of a gross misdemeanor.

35  
36 **Sterner seconded. The motion carried unanimously.**

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38  
39 **Thompson moved** that the amendments be engrossed and the ordinance be prepared for final  
40 action at the December 1, 2005 council meeting. **Olstad seconded. The motion carried**  
41 **unanimously.**

42  
43  
44 **Ordinance 932/Adopting the “2005 Lake Forest Park Comprehensive Plan”**

45  
46 **Thompson moved** that Ordinance 932/Adopting the “2005 Lake Forest Park Comprehensive  
47 Plan” remain on second reading calendar for the November 17, 2005 special council meeting.  
48 **Olstad seconded. The motion carried unanimously.**

1 **Ordinance 938/Extending Cable Franchise Agreement**

2  
3 Community and Government Affairs Program Manager Sarah Phillips briefly discussed the  
4 cable franchise agreement with Comcast and responded to questions from council.

5  
6 After further discussion on franchise fees and taxes, **Olstad moved** to advance Ordinance  
7 938/Extending Cable Franchise Agreement to final action calendar at the December 1, 2005  
8 special council meeting. **Sterner seconded.**

9  
10 The maker and seconder accepted a friendly amendment from Herzog that Ordinance  
11 938/Extending Cable Franchise Agreement remain on second reading calendar and final action.

12  
13 **The motion carried unanimously.**

14  
15  
16 **Ordinance 941/Adopting 2006 Budget**

17  
18 **Thompson moved** to hold over Ordinance 941/Adopting 2006 Budget to second reading  
19 calendar to the November 17, 2005 special council meeting. **Goss seconded. The motion**  
20 **carried unanimously.**

21  
22  
23 **Resolution 942/Authorize Acceptance of Sculpture for Animal Acres Park**

24  
25 **Thompson moved** to adopt Resolution 942/Authorize Acceptance of Sculpture for Animal  
26 Acres Park. **Sterner seconded.**

27  
28 Following discussion by the council, **the motion carried unanimously.**

29  
30  
31 **Resolution 939/Canceling Certain Warrants**

32  
33 **Thompson moved** to adopt Resolution 939/Canceling Certain Warrants. **Sterner seconded.**  
34 **The motion carried unanimously.**

35  
36  
37 **Resolution 944/Authorize Mayor to Sign Agreement with Huitt-Zollars for Transportation**  
38 **Engineering Assistance for Review of Design Standards and Proposals for Multi-Use**  
39 **Trails in Urban Areas**

40  
41 **Sterner moved** to adopt Resolution 944/Authorize Mayor to Sign Agreement with Huitt-Zollars  
42 for Transportation Engineering Assistance for Review of Design Standards and Proposals for  
43 Multi-Use Trails in Urban Areas. **Goss seconded.**

44  
45 In response to questions from council, Sterner discussed the selection process for this  
46 consultant. **The motion carried unanimously.**

1 **Ordinance 939/Adopting 2006 Sewer Rates**

2  
3 Hawley discussed the proposed sewer rates in response to a question from Thompson.

4  
5 **Thompson moved** to advance Ordinance 939/Adopting 2006 Sewer Rates to the November  
6 17, 2005 special meeting agenda second reading and final action calendars. **Herzog**  
7 **seconded. The motion carried unanimously.**

8  
9  
10 **Ordinance 940/Setting 2006 Property Tax Levy**

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12 **Thompson moved** that Ordinance 940/Setting 2006 Property Tax Levy be held over to second  
13 reading calendar and scheduled for final action calendar pending a public hearing at the  
14 November 17, 2005 council special meeting. **Olstad seconded. The motion carried**  
15 **unanimously.**

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18 **Ordinance 942/Authorizing the Expenditure of Funds for Transportation Engineering**  
19 **Services**

20  
21 After a brief explanation of Ordinance 942/Authorizing the Expenditure of Funds for  
22 Transportation Engineering Services, **Thompson moved** that the funds for the contract  
23 approved referenced in Ordinance 942 be authorized from the 2005 budget. **Herzog seconded.**  
24 **The motion carried unanimously.**

25  
26  
27 **Thompson moved** to table Ordinance 942/Authorizing the Expenditure of Funds for  
28 Transportation Engineering Services. **Herzog seconded. The motion carried unanimously.**

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31 **NEW BUSINESS**  
32 **Reports—Council**

33  
34 Sterner reported on the Northshore/Shoreline Community Health and Safety Network  
35 discussions of human services issues.

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37  
38 **New topics for discussion**  
39 **--Draft 2006 Legislative Agenda**

40  
41 Haines noted that the 32<sup>nd</sup> District legislators have been invited to the December 8, 2005 council  
42 study session meeting.

43  
44 **Thompson moved** to schedule discussion of the draft 2006 legislative agenda at the November  
45 17, 2005 special council meeting. **Goss seconded. The motion carried unanimously.**

1 **Compensation Study**

2  
3 In response to questions from Cmbr. Goss, Haines discussed the work on the compensation  
4 study and the schedule for the remaining steps to complete the report for presentation to the  
5 council.  
6

7  
8 **Council Finance Committee Meeting**

9  
10 Herzog noted the Finance Committee would hold a meeting next Wednesday, November 16,  
11 2005 at 9:05 a.m. following the SeaShore meeting.  
12

13  
14 **Council Budget Committee Meeting**

15  
16 Thompson noted the budget markup meeting is scheduled for Tuesday, November 22, 2005 at  
17 6:00 p.m.  
18

19  
20 At 9:59 p.m., Hutchinson noted that the next item on the agenda is an executive session for  
21 discussion of potential litigation. Those not required to remain for the executive session exited  
22 the council chambers at this time.  
23

24  
25 A five-minute recess was called for at 10 p.m.  
26

27 The meeting was resumed at 10:07 p.m.  
28

29  
30 **November 14, 2005 Community Forum**

31  
32 Olstad noted that a community forum is scheduled for November 14, 2005 at 7 p.m. at Third  
33 Place Commons for a report on the Town Center design guidelines project.  
34

35  
36 **EXECUTIVE SESSION**

37  
38 The meeting was recessed to executive session at 10:08 p.m. for approximately 20 minutes for  
39 discussion of potential litigation.  
40

41 The executive session was extended for an additional 20 minutes at 10:28 p.m.  
42

43 The regular meeting was resumed at 10:51 p.m.  
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1 **ADJOURNMENT**

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3 There being no objection, the meeting was adjourned at 10:52 p.m.

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Susan Stine, City Clerk

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David R. Hutchinson, Mayor

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