

**CITY OF LAKE FOREST PARK
CITY COUNCIL MEETING MINUTES
December 8, 2005**

Councilmembers present: Dwight Thompson, Mayor *pro tempore*; Alan Kiest, Carolyn Armanini, 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, Community and Government Affairs Program Manager; John Hawley, Finance Director; Stephen Bennett, Building and Planning Director; Susan Stine, City Clerk

Others present: 100 visitors

CALL TO ORDER

Mayor Hutchinson called the meeting to order at 7:36 p.m.

FLAG SALUTE

Cmbr. Goss led council in the pledge of allegiance.

PROCLAMATIONS

Honoring City Councilmember Carolyn Armanini, Twelve Years of Service

Honoring City Councilmember Mary Jane Goss, Eight Years of Service

Honoring City Councilmember Nate Herzog, Eight Years of Service

Mayor Hutchinson read proclamations honoring Cmbrs. Armanini, Goss and Herzog for their service to the city and noted various accomplishments during their terms in office. Hutchinson presented each of the retiring councilmembers with a token of appreciation on behalf of the city of Lake Forest Park.

OATH OF OFFICE

Linda Portnoy, Lake Forest Park Municipal Court Presiding Judge

Hutchinson administered the oath of office to Lake Forest Park Municipal Court Presiding Judge Linda Portnoy. Judge Portnoy has been appointed to serve a four-year term beginning January 1, 2006.

A five-minute recess was taken at 7:53 p.m.

The meeting was resumed at 8:02 p.m.

1 **ADOPTION OF AGENDA**

2
3 **Cmbr. Kiest moved** to adopt the regular meeting agenda as proposed. **Cmbr. Armanini**
4 **seconded. The motion carried unanimously.**

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6
7 **PUBLIC HEARING (*continued*)**

8 **Ordinance 941/Adopting 2006 Budget—Council’s Proposed Budget**

9
10 Hutchinson opened the public hearing at 8:04 p.m.

11
12 Margaret Marshall, 3537 NE 165th Street, thanked the retiring councilmembers for their service
13 to the citizens of Lake Forest Park.

14
15 There being no further comments, the public hearing was closed at 8:06 p.m.

16
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18 **CONSENT CALENDAR**

19
20 Cmbr. Kiest requested that the November 10, 2005 council regular meeting minutes be
21 corrected as follows:

22
23 Page 5, line 3-4: (~~5~~ 4-1 (Kiest, Thompson, Herzog...))”

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

- 26
27 1. November 3, 2005 Council Special Meeting Minutes
28 2. November 10, 2005 Council Study Session Meeting Minutes
29 3. November 10, 2005 Council Regular Meeting Minutes as corrected
30 4. Resolution 949/Authorizing Mayor to Sign Agreement Accepting Department of Ecology
31 Coordinated Prevention Grant

32
33 **Cmbr. Sterner seconded. The motion carried unanimously.**

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36
37 **FIRST READING CALENDAR**

38 **Resolution 952/Authorizing Mayor to Sign Memorandum of Understanding with Police**
39 **Guild Related to Hours of Work**

40
41 Following a brief report from City Administrator Karen Haines and Police Chief Peterson,
42 **Thompson moved** to advance Resolution 952/Authorizing Mayor to Sign Memorandum of
43 Understanding with Police Guild Related to Hours of Work to second reading calendar. **Sterner**
44 **seconded. The motion carried unanimously.**

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49 **SECOND READING CALENDAR**

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

1
2 Following a brief report from Community and Government Affairs Program Manager Sarah
3 Phillips in response to questions from Kiest, **Thompson moved** to advance Ordinance
4 938/Extending Cable Franchise Agreement to the final action calendar. **Herzog seconded. The**
5 **motion carried unanimously.**
6

7
8 Hutchinson requested that Resolution 952 be taken out of order and that action be taken prior to
9 action on Ordinance 941/Adopting 2006 Budget.

10
11
12 **Resolution 952/Authorizing Mayor to Sign Memorandum of Understanding with Police**
13 **Guild Related to Hours of Work**

14
15 **Thompson moved** to adopt Resolution 952/Authorizing Mayor to Sign Memorandum of
16 Understanding with Police Guild Related to Hours of Work. **Kiest seconded. The motion**
17 **carried unanimously.**
18

19
20 **Ordinance 941/Adopting 2006 Budget**

21
22 **Armanini moved** to amend Ordinance 941 as follows:

23
24 Page 2, line 1:

25
26 **Section 3.** Mayor's Reserve. ~~The Mayor shall notify the City Council no later than the~~
27 ~~regular meeting after his authorization of the allocation of funds from the Mayor's Reserve for~~
28 ~~any expense that exceeds \$1,000. In the event the Mayor fails to notify the Council of such an~~
29 ~~expenditure, the Finance Director is instructed to no longer release any further funds from the~~
30 ~~Mayor's Reserve without prior approval from the Council.~~ Any expenditures from the Mayor's
31 reserve fund of \$1,000 or more must be approved by a majority of the city council before the
32 expense is incurred. In the event this procedure is not followed, any remaining funds in the
33 Mayor's reserve will be transferred to the council contingency fund.
34

35 **Kiest seconded.**

36
37 Armanini noted that the council meets regularly, and waiting for council approval should pose no
38 problem.

39
40 After further discussion, **the motion to amend carried 4-3 (Aye—Kiest, Armanini, Goss,**
41 **Herzog; Nay—Thompson, Olstad, Sterner).**
42

43
44 **Armanini moved** to amend Ordinance 941 as follows:

45
46 **Proviso: The Mayor's Reserve may not be used to distribute funds to programs or**
47 **organizations already provided for in this budget.**
48

49 **Goss seconded.**
50

1 Armanini noted that she is making this motion because she believes that the Mayor should not
2 be allowed to restore funding that the council has not approved.

3
4 Following discussion by council, Thompson stated for the record that he believes that the
5 purpose of the Mayor's reserve is to provide funds for opportunities that arise during the year
6 which were not foreseen during the budget process.

7
8 Following further discussion, **the motion to amend carried 4-3 (Aye—Kiest, Armanini, Goss,
9 Herzog; Nay—Thompson, Olstad, Sterner).**

10
11
12 **Armanini moved** to amend the Ordinance 941 as follows:

13
14 **“Proviso: Program funds for the EQC Restoration Grant will not be released until the City
15 Council approves the process by which these funds will be granted. The EQC is responsible for
16 developing such a plan.”**

17
18 **Goss seconded. The motion to amend carried unanimously.**

19
20
21 **Armanini moved** to amend Ordinance 941 as follows:

22
23 **“Proviso: Step increases for non-represented personnel will not be effective until an annual
24 performance evaluation has been completed. Such delayed increases will not be retroactive.**

25 **Goss seconded.**

26
27 Following discussion, **the motion to amend carried unanimously.**

28
29
30 **Armanini moved** to delete the \$7,500 city-wide employee training in the Executive Budget.

31 **Goss seconded.**

32
33 Discussion followed regarding the purpose of the proposed funds, and Herzog proposed
34 language that would address the issues raised by councilmembers.

35
36 **The motion to amend did not carry 3-4 (Aye—Armanini, Goss, Kiest; Nay—Thompson,
37 Herzog, Olstad, Sterner).**

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40 **Herzog moved** to amend Ordinance 941 as follows:

41
42 **“Proviso: Prior to expending the \$7,500 allocated for the city-wide employee training line item,
43 the administration shall provide the Council with a plan of how those funds are to be expended.
44 Council approval of this plan shall be required before any funds are expended.”**

45
46 **Sterner seconded. The motion carried 6-1 (Aye—Kiest, Armanini, Thompson, Herzog,
47 Olstad, Sterner; Nay--Goss).**

48
49
50 **Armanini moved to amend** the proposed 2006 budget as follows:

1
2 Delete \$5,000 for review of benefits for non-represented employees.

3
4 **Goss seconded.**

5
6 After a lengthy discussion of issues related to compensation, **the maker and seconder**
7 **withdrew the motion to amend.**

8
9
10 **Goss moved** to amend the 2006 budget to add \$5,000 to the parks and recreation budget to
11 provide for payment of the administrative portion of the Shoreline Parks and Recreation fees for
12 Lake Forest Park citizens. **Olstad seconded.**

13
14 Goss noted that the City of Shoreline charges an administrative fee for use of their Parks and
15 Recreation facilities by citizens who do not reside in Shoreline. She noted that a citizen had
16 raised this issue, and Goss said that this would provide an opportunity for Lake Forest Park to
17 provide services to its residents in an economical manner.

18
19 Following discussion regarding implementation and other funds included in the proposed
20 budget, **the motion to amend carried unanimously.**

21
22
23 **Herzog moved to amend** the proposed 2006 budget as follows:

24
25 Reduce the amount shown for council salaries by \$400.

26
27 **Armanini seconded.**

28
29 Herzog noted that this would reflect the December 2005 paychecks of four councilmembers who
30 will be paid in January 2006.

31
32 **The motion to amend carried unanimously.**

33
34
35 **Herzog moved to amend** the proposed 2006 budget as follows:

36
37 Delete \$50,000 in the proposed 2006 budget for the city water study.

38
39 **Armanini seconded.**

40
41 Herzog said that various issues should be explored prior to commissioning \$50,000 for this
42 study.

43
44 Discussion followed regarding Herzog's proposed amendment.

45
46
47 A five-minute recess was called for at 10:16 p.m.

48
49 The meeting was resumed at 10:21 p.m.

1 **The motion did not carry 3-4 (Aye—Herzog, Goss, Olstad; Nay—Kiest, Armanini,**
2 **Thompson, Sterner).**

3
4
5 **Herzog moved to amend** the proposed 2006 budget as follows:

6
7 Transfer salary, benefits and any related funds for the position of Domestic Violence Victim's
8 Advocate from Human Services to Public Safety.

9
10 **Armanini seconded.**

11
12 Herzog said that this position addresses public safety concerns and should be funded through
13 that department.

14
15 Following discussion, **the maker and seconder withdrew the motion to amend.**

16
17
18 **Herzog moved to amend** Ordinance 941 as follows:

19
20 **Proviso: The Administration shall draft a letter for council consideration no later than March 1,**
21 **2006 instructing all utilities that are subject to the 6 percent City Utility Tax to no longer assess**
22 **the .382 percent "tax on the tax" that causes residents to pay 6.382 percent for various utility**
23 **services.**

24
25 **Armanini seconded.**

26
27
28 Following discussion, **the motion to amend carried unanimously.**

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31 **Herzog moved to amend** Ordinance 941 as follows:

32
33 **Proviso: The Administration shall deliver to the Council an inventory of potential long-term**
34 **costs and liabilities to the Council no later than October 1, 2006. The intent of this inventory**
35 **should be to assist the Council in determining appropriate reserve amounts in order to limit the**
36 **effects of potential high costs to the City than may not be foreseen on an annual basis. The**
37 **inventory should include issues such as any remaining potential LEOFF 1 costs, likely statewide**
38 **initiatives or legislative changes affecting cities (including unfunded mandates), exposure to**
39 **potential litigation, economic downturns due to local development or the economy at large,**
40 **possible increases in charges from government agencies with which the City contracts, potential**
41 **costs that occur as a result of storms or other forces of nature, (e.g., multiple weeks of snow or**
42 **ice removal, costs related to sinkholes or slides, etc.), and an analysis of significant long-term**
43 **maintenance costs to the City Hall facility.**

44
45 **Armanini seconded.**

46
47 Following discussion, **the motion to amend carried unanimously.**

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50 **Herzog moved to amend** Ordinance 941 as follows:

1
2 **Proviso:** Any development of the City's Capital Improvement Plan shall include a report to the
3 Council on the possibility of developing a comprehensive city pedestrian pathway plan
4 connecting areas throughout the City.

5
6 **Goss seconded. The motion carried unanimously.**

7
8
9 **Thompson moved to amend** Ordinance 941 as follows:

10
11 Page 2, line 19:

12
13 **Section 6. Third Place Commons Match.** Program funds for the Third Place Commons are
14 limited to ~~\$10,100~~ \$15,000. The first ~~\$6,060~~ \$9,000 may only be approved after submission to
15 the Council of an acceptable contract for services. The remaining ~~\$4,040~~ \$6,000 may only be
16 approved....” Thompson noted that the budget line item should be changed accordingly.

17
18 **Olstad seconded.**

19
20 Following discussion, **the motion failed 3-4 (Aye—Thompson, Olstad, Sterner; Nay—**
21 **Herzog, Kiest, Armanini, Goss).**

22
23
24 **Thompson moved** that the finance director and the city clerk be instructed to make any final
25 clerical changes to the ordinance and budget document and ensure that it is in proper order for
26 filing. **Sterner seconded. The motion carried unanimously.**

27
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29 **Thompson moved** to place Ordinance 941 to final action calendar. **Olstad seconded. The**
30 **motion carried unanimously.**

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33 **FINAL ACTION CALENDAR**

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

35
36 **Sterner moved** to adopt Ordinance 938/Extending Cable Franchise Agreement. **Kiest**
37 **seconded. The motion carried unanimously.**

38
39
40 **Ordinance 941/Adopting 2006 Budget**

41
42 **Thompson moved** adoption of Ordinance 941/Adopting 2006 Budget. **Olstad seconded. The**
43 **motion carried unanimously.**

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46 **NEW BUSINESS**

47 **Reports—Council**

1 In response to a question from Armanini regarding the potential for a special meeting on
2 December 15, 2005, Haines said that staff is working to complete an agreement with Berryman
3 & Henigar for design services related to provision of sewer to an unsewered area. She noted
4 that the timeline for the project would be aided by approval of the agreement before year end.

5
6 Councilmembers discussed their availability if a special meeting is called to authorize the Mayor
7 to sign an agreement, and Cmbrs. Olstad, Herzog, Sterner and Thompson waived the
8 requirement regarding notification of the special meeting in writing.

9
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11 **New topics for discussion**

12
13 Sterner reported there was a personnel change at the firm selected for the Burke Gilman Trail
14 project. Therefore a meeting has been scheduled for Thursday, December 15, 2005, at 8 a.m.
15 to meet with the new engineer assigned to the project.

16
17
18 Herzog offered to meet with his replacement on the public issues committee of the Suburban
19 Cities Association to provide background information and materials. He thanked everybody for
20 the last eight years, stated it was a pleasure and privilege to serve the community and thanked
21 staff members for their assistance.

22
23
24 Armanini stated she would like to particularly thank city staff for a memorable event tonight for
25 retiring councilmembers. She thanked everyone for an interesting twelve years and thinks the
26 coming years will be very interesting as well. She wished the new councilmembers best of
27 fortune and knows they have the best interest of the community at heart.

28
29
30 Goss thanked everyone for the pleasure of working with council and staff. She stated she
31 pursued things as if she was a resident looking for answers to her concerns. She thanked city
32 staff for their patience when dealing with issues that she felt strongly about.

33
34
35 **ADJOURNMENT**

36
37 There being no objection, the meeting was adjourned at 11 p.m.

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41 _____
42 Susan Stine, City Clerk

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44
45
46 _____
47 David R. Hutchinson, Mayor