

**CITY OF LAKE FOREST PARK  
CITY COUNCIL MEETING MINUTES  
May 11, 2006**

**Councilmembers present:** Alan Kiest, Roger Olstad, Ed Sterner, Don Fiene,  
Sandy Koppenol, Donovan Tracy

**Councilmember excused:** Dwight Thompson

**Staff present:** David R. Hutchinson, Mayor; Michael Ruark, City Attorney;  
Sarah Phillips, Community and Government Affairs Program  
Manager; Dennis Peterson, Police Chief; John Hawley, Finance  
Director; Frank Zenk, Public Services Director; Tema Nesoff, Parks  
and Human Services Administrator; Stephen Bennett, Planning and  
Building Director; Susan Stine, City Clerk

**Others present:** 60 visitors

**Honoring Youth Council and Youth Court**

At 7:25 p.m., Mayor David Hutchinson began the presentation ceremony honoring Shorecrest High School students who have served on the Youth Council and Youth Court. He said that this is a celebration of the youth of our community and noted that the future is here.

He thanked the following students who have served on the Youth Council-- Benjamin Bodi, Alex Dahl, Evan Ferris, Eva Hansen, Derek Huling, Hanna Lauth, Charlie Lyman, Jeffrey McIntosh, Kelsey Monson, Janine Morris, Ari Novack, Tori Olsen, Mario Orallo, Alena Owen, Kelsey Paden, Amy Phillips, Natalie Simpson—and presented those present with a certificate of appreciation.

Ben Bodi thanked Mayor Hutchinson and Youth Council advisors Rick Stendera and Judy MacKenzie for their support.

Hutchinson thanked the following students for their active service on the Youth Court: Katie McCorkell, Ashley Rojan, Katie Grindle, James Rimbakusumo, Victoria Garner, Rachel Stoops, Julia Duranti, Kate Kremer, Jason Wang, Heather Earp, Heather Kraft, June Wang, McIver, Nora Hansen, Josh Lucas, Daniel Bugni, Aleks Rudzitis, Suzanne Shdo, Bo Rohrback, Jessica Lamb, Ryan Jorgensen, Eric Carlson, Sylvia Olsby, Erin Peach, Sarah Berg, Hana Fallisgaard, Benjamin Bodi, Evan Farris, Eva Hansen, Hanna Lauth, Noah Lerner, Kelsey Monson, Ari Novack, Mario

1 Orallo, Alena Owen, Kelsey Paden, Amy Phillips, Natalie Simpson, Charlie  
2 Lyman and Tori Olsen---and presented those present with a certificate of  
3 appreciation.

4  
5 Hutchinson read a proclamation proclaiming the week of May 14 as youth  
6 and mentor recognition week.

7  
8  
9 **RECOGNITION/Retirement**

10 **Sylvia Rasmussen, Finance Department/Payroll**

11  
12 Following a brief recess, Hutchinson noted the importance of the position  
13 responsible for payroll, which Sylvia Rasmussen has held since 2000. He  
14 read a proclamation honoring Sylvia Rasmussen for her service to the city  
15 since 1999 and noted various advances in the payroll department during her  
16 employment. Hutchinson presented Sylvia Rasmussen with a token of  
17 appreciation on behalf of the city of Lake Forest Park.

18  
19  
20 **CALL TO ORDER**

21  
22 Mayor Hutchinson called the May 11, 2006 council regular meeting to order  
23 at 7:54 p.m.

24  
25  
26 **FLAG SALUTE**

27  
28 Cmbr. Sterner led the council in the pledge of allegiance.

29  
30  
31 **MAYOR'S REPORT**

32  
33 Hutchinson provided information regarding Suburban Cities Association  
34 issues and activities. He noted that he is serving on the search committee for  
35 the new president for Shoreline Community College, and the four finalists  
36 would visit the Lake Forest Park campus.

37  
38 Hutchinson noted a recent meeting with Mayor *pro tempore* Thompson  
39 regarding the draft list of priorities for the remainder of 2006. He noted that  
40 the Association of Washington Cities conference would be held in Spokane  
41 June 20-23.

42  
43  
44 **ADOPTION OF AGENDA**

1  
2 *Cmbr. Sterner moved* adoption of the May 11, 2006 council regular meeting  
3 agenda as proposed. *Cmbr. Olstad seconded. The motion carried*  
4 *unanimously.*

5  
6  
7 **CITIZEN COMMENTS**

8  
9 In response to a request from Hutchinson, City Attorney Michael Ruark  
10 clarified the regulations governing political speech.

11  
12 Ruark provided a review of the legal history related to freedom of speech and  
13 the protection of political speech. He noted that Amendment I of the Bill of  
14 Rights states, “Congress shall make no law...abridging the freedom of  
15 speech....”

16  
17 Ruark said that the U.S. Supreme Court in 1937 ruled that all states are  
18 subject to the First Amendment and are prohibited from making laws that  
19 abridge freedom of speech.

20  
21 Ruark noted that local municipalities may not restrict freedom of speech and  
22 that any regulations must be content neutral. He said that political signs  
23 that are dangerous or a distraction to drivers can be prohibited, and signs  
24 cannot impede traffic.

25  
26 Ruark also said that demonstrators may demonstrate all night but may not  
27 camp on the site or put up a residence.

28  
29 In response to a question from Sterner, Ruark said that the use of profanity  
30 may be in bad taste; however, it may not be prohibited in political speech.

31  
32 Chief Peterson said that the police department looks at issues of safety, such  
33 as sight distance and impeding travel on sidewalks, but that is generally the  
34 extent of the enforcement related to peaceful protests.

35  
36 In response to a question from Hutchinson, Peterson said that generally signs  
37 are not allowed on the islands at Ballinger and Bothell Way Northeast due to  
38 sight distance issues.

39  
40  
41 Karen True, executive director of Third Place Commons, announced that the  
42 Farmers Market would begin on May 14 and encouraged all councilmembers  
43 to attend the June 11 official opening.

1 Mark Phillips, 18533 26<sup>th</sup> Ave. NE, said that he is a member of the  
2 Environmental Quality Commission and the Urban Forest Task Force. He  
3 noted that the task force has had an opportunity to meet with the consultant  
4 Elizabeth Walker and to review the proposed contract and scope of work. He  
5 said the task force is eager to work with her.

6  
7 Mark Stewart, a resident of Bothell, said that he made a larger protest sign  
8 to get the attention of citizens and noted his concern regarding the continuing  
9 war in Iraq.

10  
11 Bob Trutnau, a member of Lake Forest Park for Peace, expressed his outrage  
12 regarding the recent news that the federal government is monitoring citizens'  
13 phone calls and records.

14  
15 Ron Rowbotham, 18822 52<sup>nd</sup> Ave NE, said that the city's current code  
16 regulating skateboard use prohibits his children from skateboarding in a safe  
17 and responsible manner on their street. He proposed that the law be  
18 modified to allow skateboarding in areas where vehicular traffic would be  
19 comparable to the traffic on a dead-end street or cul de sac.

20  
21  
22 *Kiest moved* to excuse the absence of Cmbr. Dwight Thompson. *Cmbr.*  
23 *Sterner seconded. The motion carried unanimously.*

24  
25  
26 **CONSENT CALENDAR**

27  
28 There was no objection to Olstad's request that the April 13 and April 27  
29 council regular meeting minutes be corrected to show Cmbr. Koppenol  
30 excused on April 13 and Cmbr. Sterner excused on April 27.

31  
32 *Kiest moved* approval of the consent calendar as follows:

- 33  
34 1. April 13, 2006 Council Regular Meeting Minutes  
35 2. April 27, 2006 Council Study Session Minutes  
36 3. April 27, 2006 Council Regular Meeting Minutes  
37 4. May 11, 2006 Finance Committee Report covering Claims Fund  
38 warrants 49694 through 49769 in the amount of \$288,751.69 and  
39 Payroll Fund warrants 30584 through 30682 in the amount of  
40 \$256,366.82.  
41 5. Authorization to Hire Payroll Accountant

42  
43 *Sterner seconded. The motion carried unanimously.*

1 **FIRST READING CALENDAR**

2 **Resolution 980/Authorization to Advertise for Bids for Improvements to Cole**  
3 **Nature Park**

4  
5 At the request of the Mayor, Parks and Recreation Administrator Tema  
6 Nesoff provided background information regarding Cole Nature Park  
7 development plans. She discussed various features of the property and noted  
8 liability issues related to the sandpit area.

9  
10 Fiene presented his view of the park and the proposed development plan and  
11 expressed his concern regarding differences between the proposed  
12 development and the original master plan. He said that the city should not  
13 rush into any project and said that he preferred to review this at a council  
14 study session.

15  
16 Nesoff reviewed the process used in the development of the proposed plan  
17 and noted that experts had been consulted regarding the geology of the  
18 sandpit area and the wetland area.

19  
20 Following further discussion, council agreed that it would be helpful to have  
21 an opportunity to discuss issues related to the proposal and the master plan  
22 with the consultants.

23  
24  
25 **Resolution 981/Authorizing Mayor to Sign Agreement with Sound Tree**  
26 **Solutions for Tree Regulation Review and Update Project**

27  
28 Building and Planning Director Steve Bennett distributed a proposed  
29 amendment recommended by the Urban Forest task force to the scope of  
30 work.

31  
32  
33 Following discussion, ***Fiene moved to amend*** Resolution 981/Authorizing  
34 Mayor to Sign Agreement with Sound Tree Solutions for Tree Regulation  
35 Review and Update Project as follows:

36  
37 Attachment A, Consultant Scope of Work, page 1, line 19: “~~...neighborhoods,~~  
38 *members of LFP neighborhood or civic groups, City Commissioners and*  
39 *specific members of the public-at-large* ~~and other stakeholders that are~~  
40 ~~impacted by the tree regulations.”~~

41  
42 ***Olstad seconded. The motion to amend carried unanimously.***

1 *Fiene moved to amend* Resolution 981 as follows:

2  
3 Attachment A, Consultant Scope of Work, page 2, line 16: "...available.  
4 *WRIA 8 has done a 10-year GIS study of the change of tree cover in Lake*  
5 *Forest Park. Perhaps they will make that information available to the City.*"

6  
7 *Kiest seconded.*

8  
9 Following discussion regarding the intent of the motion, *the motion carried*  
10 *unanimously.*

11  
12  
13 *Sterner moved to amend* Resolution 981 as follows:

14  
15 Attachment A, Consultant Scope of Work, page 2, lines 27-29: "...task is *an*  
16 *outline strategic plan for future action to enhance the urban forest of Lake*  
17 *Forest Park* ~~a concise statement of guiding principles and policies for Lake~~  
18 ~~Forest Park's urban forest management that reflect the best assessment of~~  
19 ~~community values and priorities."~~

20  
21 *Olstad seconded. The motion carried unanimously.*

22  
23  
24 *Sterner moved to amend* Resolution 981 as follows:

25  
26 Attachment A, Professional Services Agreement, page 1, line 7: "... and  
27 *Elizabeth Walker, doing business as* Sound Tree Solutions...."

28  
29 *Kiest seconded. The motion to amend carried unanimously.*

30  
31  
32 In response to a request from Hutchinson, *Sterner moved to amend*  
33 Resolution 981 as follows:

34  
35 Page 1, line 31: "*WHEREAS, views and view corridors shall be considered in*  
36 *modifications to the ordinance.*"

37  
38 *Cmbr. Tracy seconded. The motion to amend carried unanimously.*

39  
40  
41 In response to a question from Sterner, Bennett said that it would be ideal if  
42 the resolution were adopted tonight.

1 ***Olstad moved*** to advance the following items to the second reading calendar  
2 tonight:

- 3
- 4 1. Resolution 981/Authorizing Mayor to Sign Agreement with Sound Tree
- 5 Solutions for Tree Regulation Review and Update Project, as amended;
- 6 2. Resolution 983/Establishing Policies Related to Fixed Assets and Small
- 7 and Attractive Items;
- 8 3. Ordinance 947/Repealing LFPMC Chapter 2.52 – Credit Cards for City
- 9 Expenses;
- 10 4. Resolution 982/Adopting Policies Relating to City Credit Card Use;
- 11 5. Ordinance 948/Amending LFPMC Chapter 13.08.790 to Permit the
- 12 Waiving of Sewer Service Late Fees Under Certain Circumstances;
- 13 6. Ordinance 949/Establishing a Biennial Budget Process Beginning with
- 14 the 2007-2008 Biennium;
- 15 7. Resolution 984/Amending Position Description and Reducing Salary
- 16 for Police Support Services

17  
18 ***Sterner seconded. The motion carried unanimously with five votes (Kiest out***  
19 ***of chambers).***

20  
21  
22 **SECOND READING CALENDAR**

23 **Resolution 981/Authorizing Mayor to Sign Agreement with Sound Tree**  
24 **Solutions for Tree Regulation Review and Update Project**

25  
26 ***Sterner moved*** adoption of Resolution 981/Authorizing Mayor to Sign  
27 Agreement with Sound Tree Solutions for Tree Regulation Review and  
28 Update Project as amended. ***Olstad seconded. The motion carried***  
29 ***unanimously with five votes (Kiest out of chambers).***

30  
31  
32 **Resolution 983/Establishing Policies Related to Fixed Assets and Small and**  
33 **Attractive Items**

34  
35 Finance Director John Hawley noted that the state auditor had recommended  
36 that policies be established regarding fixed assets and small and attractive  
37 items. He reviewed various issues related to the proposed policies and  
38 responded to questions from councilmembers regarding value and inventory  
39 process.

40  
41 At 9:05 p.m., Kiest returned to the council chambers.

1 **Fiene moved to amend** Resolution 983 as follows:

2  
3 Exhibit A, page 1, C. Responsibility of Department Heads (Add sentence at  
4 end): **“By February 28 of the current year, the completed inventory shall be**  
5 **returned to the finance department.”**

6  
7 **Kiest seconded. The motion carried unanimously.**

8  
9  
10 **Fiene moved to amend** Resolution 983 as follows:

11  
12 Exhibit A, Page 3, second paragraph, first sentence: ~~“...one in position to~~  
13 ~~trigger~~ **person to request** removal from the Fixed Asset records.”

14  
15 **Olstad seconded. The motion carried unanimously.**

16  
17  
18 **Fiene moved to amend** Resolution 983 as follows:

19  
20 Exhibit A, Page 3, section C (add third paragraph): **“All transfers require**  
21 **notification of transfer to the finance director.”**

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

24  
25  
26 **Fiene moved to amend** Resolution 983 as follows:

27  
28 Exhibit A, Page 4 (add at end of first paragraph): **“Inventory shall be**  
29 **completed and returned to the finance director by February 28.”**

30  
31 **Sterner seconded. The motion carried unanimously.**

32  
33 In response to an issue raised by Fiene, discussion followed regarding the  
34 frequency of inventory process and various policies in place to track city-  
35 owned equipment.

36  
37  
38 **Fiene moved to amend** Resolution 981 as follows:

39  
40 Exhibit B, Page 2, B. Responsibility of Department Heads (add at end):  
41 **“Inventory shall be completed and returned to the finance director by**  
42 **February 28.”**

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

1  
2 *Fiene moved to amend* Resolution 983 as follows:

3  
4 Exhibit B, Page 3, C. Transfers (add at end): “*All transfers require*  
5 *notification of transfer to the finance director.*”

6  
7 *Kiest seconded. The motion carried unanimously.*

8  
9  
10 *Sterner moved adoption of Resolution 983 as amended. Fiene seconded. The*  
11 *motion carried unanimously.*

12  
13  
14 **Ordinance 947/Repealing LFPMC Chapter 2.52 – Credit Cards for City**  
15 **Expenses**

16 **Resolution 982/Adopting Policies Relating to City Credit Card Use**

17  
18 Hutchinson noted that Ordinance 947/Repealing LFPMC Chapter 2.52 –  
19 Credit Cards for City Expenses and Resolution 982/Adopting Policies  
20 Relating to City Credit Card Use are related and should be considered jointly.

21  
22 Finance Director Hawley noted that typically the council has adopted policies  
23 by resolution. He discussed the proposed ordinance repealing the municipal  
24 code chapter relating to credit cards for city expenses and the proposed  
25 resolution adopting policies relating to city credit card use.

26  
27 In response to questions from councilmembers, Hawley discussed current  
28 credit card use, the proposed increase to the credit limit, the procedures for  
29 and monitoring of credit card use, the employee handbook policies, and the  
30 exit process for staff members leaving city employment.

31  
32 Following further discussion, *Fiene moved to amend* Resolution 982 as  
33 follows:

34  
35 Exhibit A, Page 2, line 4: “...authorized by this policy and shall control *the*  
36 release, *the* issuance and *the* availability of such cards....”

37  
38 *Sterner seconded. The motion carried unanimously.*

1 **Ordinance 947/Repealing LFPMC Chapter 2.52 – Credit Cards for City**  
2 **Expenses**

3  
4 *Olstad moved* adoption of Ordinance 947/Repealing LFPMC Chapter 2.52 –  
5 Credit Cards for City Expenses.

6  
7 *Cmbr. Koppenol seconded.*

8  
9 Kiest said that he would oppose this change and said that he believes that it  
10 is not wise. He said that the city credit card limit was established at \$2,000  
11 originally, was increased to \$5,000, and now the administration is requesting  
12 a \$10,000 limit. He expressed his concern regarding the potential for abuse  
13 and noted that 10 years ago a city councilmember from a Snohomish County  
14 city used a city credit card to obtain a loan at a casino. Kiest said that while  
15 Lake Forest Park has not experienced such abuse of a credit card, he believes  
16 that this is not a wise change.

17  
18 Sterner noted that he is aware that more business is being done  
19 electronically, and this change would allow the city to operate more  
20 efficiently.

21  
22 *The motion to adopt Ordinance 947 carried 5-1 (Aye—Fiene, Sterner, Olstad,*  
23 *Koppenol, Tracy; Nay—Kiest).*

24  
25  
26 **Resolution 982/Adopting Policies Relating to City Credit Card Use**

27  
28 *Sterner moved* adoption of Resolution 982/Adopting Policies Relating to City  
29 Credit Card Use.

30  
31 *Olstad seconded. The motion to adopt Resolution 982 carried 5-1 (Aye—*  
32 *Fiene, Sterner, Olstad, Koppenol, Tracy; Nay—Kiest).*

33  
34  
35 **Ordinance 948/Amending LFPMC Chapter 13.08.790 to Permit the Waiving**  
36 **of Sewer Service Late Fees Under Certain Circumstances**

37  
38 Following a brief discussion of the issues relating to the proposed ordinance,  
39 councilmembers agreed to hold Ordinance 948/Amending LFPMC Chapter  
40 13.08.790 to Permit the Waiving of Sewer Service Late Fees Under Certain  
41 Circumstances on the May 25, 2006 agenda second reading calendar for  
42 additional information.

1 **Ordinance 949/Establishing a Biennial Budget Process Beginning with the**  
2 **2007-2008 Biennium**

3  
4 Councilmembers requested that Ordinance 949/Establishing a Biennial  
5 Budget Process Beginning with the 2007-2008 Biennium remain on the  
6 second reading calendar for the May 25, 2006 agenda.  
7

8  
9 **Resolution 984/Amending Position Description and Reducing Salary for**  
10 **Police Support Services Manager Position**

11  
12 ***Kiest moved*** adoption of Resolution 984/Amending Position Description and  
13 Reducing Salary for Police Support Services Manager Position. ***Fiene***  
14 ***seconded. The motion carried unanimously.***  
15

16  
17 **FINAL ACTION CALENDAR**

18 **Ordinance 947/Repealing LFPMC Chapter 2.52 – Credit Cards for City**  
19 **Expenses**

20  
21 Hutchinson noted that Ordinance 947/Repealing LFPMC Chapter 2.52 –  
22 Credit Cards for City Expenses had been adopted by council under the second  
23 reading calendar.  
24

25  
26 **NEW BUSINESS**

27 **Reports – Council**

28 **Capital Improvement Plan Process**

29  
30 Councilmembers discussed the process for development of a capital  
31 improvement plan and recent history related to such plans. Councilmembers  
32 agreed that changes to the municipal code should be considered and noted  
33 the value of a capital improvement plan process as a planning and budgeting  
34 tool.  
35

36  
37 **Digital City Expo**

38  
39 Sterner reported on the Digital City Expo in Washington, DC that he and  
40 Cmr. Fiene attended. He discussed various options for receiving and  
41 sending data and recommended that the city explore the potential of  
42 providing such service with the aid of a knowledgeable consultant. He also  
43 suggested that a small investment in some test sites might be considered.  
44

