

**CITY OF LAKE FOREST PARK
CITY COUNCIL REGULAR MEETING MINUTES
November 9, 2006**

Councilmembers present: Dwight Thompson, Mayor *pro tempore*; Alan Kiest, Roger Olstad, Ed Sterner, Don Fiene, Sandy Koppenol, Donovan Tracy

Staff present: Karen Haines, City Administrator; Frank Zenk, Public Works Director; John Hawley, Finance Director; Dennis Peterson, Police Chief; Susan Stine, City Clerk

Others present: 26 visitors

CALL TO ORDER

Mayor *pro tempore* Dwight Thompson called the city council regular meeting to order at 8:30 p.m.

FLAG SALUTE

Cmbr. Olstad led the council in the pledge of allegiance.

Thompson said that Mayor Hutchinson is on vacation out of the country. He reported that City Administrator Haines informed him that the city has filed an injunction regarding the condominium project in the Northeast 181st Street neighborhood.

Thompson noted that this is his final meeting as Mayor *pro tempore*. He thanked his fellow councilmembers for their wonderful sendoff at the council study session meeting earlier tonight. He expressed his appreciation for the proclamation and said that it has been an honor to serve as councilmember for the last 10 years and six years as Mayor *pro tempore*. He reviewed the changes that have taken place in the city since he was elected to the council. He said that he would send e-mail messages from Afghanistan during his tour of duty.

1 **PROCLAMATION In Recognition of Veterans' Day**

2
3 Thompson read the proclamation in recognition of Veterans' Day, November
4 11, 2006.

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7 **ADOPTION OF AGENDA**

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9 There being no objection, the council regular meeting agenda was approved
10 as proposed.

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13 **CITIZEN COMMENTS**

14
15 Tom French, 17364 Beach Dr. NE, read a letter from Bob Gregg, a long-time
16 resident of Lake Forest Park. Gregg said in his letter that the Burke Gilman
17 Trail is a world-class facility marred only by some who choose to use it as a
18 racetrack. He encouraged the council to consider the safety of all of the trail
19 users.

20
21 In response to a comment from Thompson, assistant director Tom Koney of
22 King County Parks agreed to speak when the council considers Ordinance
23 951.

24
25 Jerry Leitch, 7117 35th Ave. NW, Seattle, said that he is a user of the Burke
26 Gilman Trail and expressed his concern that the proposed ordinance is at
27 odds with the goals that it proposes to support. He said that the local
28 interests are not being ignored in the County's plan for redevelopment, and
29 he encouraged the council to consider the larger community also.

30
31 James Apsitis, 3502 NE 182nd St., expressed his concern regarding his
32 inability to get information on a process for undergrounding utilities. He also
33 expressed concern regarding the budget request for arborist services and the
34 danger of loss of property or injury from trees in windstorms.

35
36
37 **CONSENT CALENDAR**

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39 ***Cmbr. Kiest moved*** adoption of the consent calendar as follows:

- 40
41 1. October 12, 2006 Council Study Session Minutes
42 2. October 12, 2006 Council Regular Meeting Minutes
43 3. October 26, 2006 Council Study Session Minutes
44 4. November 9, 2006 Finance Committee Report covering Claims
45 Fund warrants 50755 through 50828 in the amount of \$102,354.84;

1 and Payroll Fund warrants 31704 through 31792 in the amount of
2 \$221,562.71. Additional payroll payout, warrants no. 31697
3 through 31702, 10/30/06, \$2,779.49. Payroll warrant no. 31703 was
4 voided, printer error.

5
6 *Thompson seconded. The motion carried unanimously.*
7

8
9 **FIRST READING CALENDAR**

10 **Resolution 1013/Establishing Adjustments to the City's Surface Water Utility**
11 **Fees**

12 **Ordinance 953/Levying Property Taxes for the Calendar Year 2007, Making**
13 **Provisions for Increases as Allowed by Law**

14 **Ordinance 954/Amending LFPMC Section 13.12.020, Setting Sewer Rates**
15 **and Charges**

16 **Ordinance 955/Adopting the Annual Budget for the City for the Years 2007**
17 **and 2008**

18
19 City Administrator Haines said that the presentation for these agenda items
20 is scheduled for the November 16, 2006 council meeting agenda second
21 reading calendar.

22
23 There being no objection, the following items were advanced to second
24 reading for the November 16, 2006 meeting agenda:

- 25
26 1. Resolution 1013/Establishing Adjustments to the City's Surface Water
27 Utility Fees;
- 28 2. Ordinance 953/Levying Property Taxes for the Calendar Year 2007,
29 Making Provisions for Increases as Allowed by Law;
- 30 3. Ordinance 954/Amending LFPMC Section 13.12.020, Setting Sewer
31 Rates and Charges; and
- 32 4. Ordinance 955/Adopting the Annual Budget for the City for the Years
33 2007 and 2008.

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35
36 **SECOND READING CALENDAR**

37 **Ordinance 951/Relating to Conditional Use Ordinance; Amending LFPMC**
38 **18.54.047 Providing Specific Development Criteria Under Which a Multi-Use**
39 **or Multi-Purpose Trail May be Authorized as a Conditional Use**

40
41 Cmbr. Sterner said that he had expressed some sympathy regarding the
42 speed limit issue at the November 6, 2006 meeting and had prepared an
43 amendment.

1 ***Sterner moved to amend*** proposed Ordinance 951 as follows:

2 Page 5, line 13:

3 “iv. Specifies a maximum posted speed not to exceed ~~10~~ 15 MPH, provided
4 that in order to promote safety and use of the trail by multiple users, a lower
5 speed limit (e.g. 10 MPH) shall be posted in areas where there is user
6 congestion, accident history, limited sightlines or other conditions that merit
7 a lower speed limit. In the event that more than two (2) reported accidents
8 involving more than one party occur within any 0.5 mile portion of any trail
9 in a 12-month period, such portion of trail shall be deemed to be congested
10 and/or to have other conditions meriting a lower speed limit and the posted
11 speed limit in such areas shall be reduced (if previously higher) to not more
12 than 10 MPH. If subsequent conditions change and a period of not less than
13 24 months passes without any reported accidents involving more than one
14 party within the lower speed zone, the owner of the trail, with the Hearing
15 Examiner’s consent, may request the City to increase the posted speed limit
16 not to exceed 15 MPH (subject to reduction again as provided above).”

17
18 ***Thompson seconded.***

19
20 Discussion followed regarding enforcement issues, accident history, the
21 county’s responsibility for posting speed limit signs, and the hearing
22 examiner’s role in determining if conditions warrant speed limit changes.
23 Thompson expressed his concern regarding the proposed language involving
24 the hearing examiner’s consent.

25
26 Tom Koney, assistant director of King County Parks Division, requested that
27 the November 8, 2006 letter to Cmbr. Sterner from Kevin Brown, King
28 County Parks Division director, be made a part of the record.

29
30 In response to questions from councilmembers, Koney discussed issues
31 related to speed limits on the Burke Gilman Trail and recommendations from
32 the county’s consultant regarding the trail redevelopment. He said that he is
33 not prepared to do a comprehensive legal review related to the Growth
34 Management Act, and he would defer to the county’s legal experts.

35
36 If the goal of the ordinance is to get the attention of the county, Koney said
37 that he hoped that it is obvious that this has been accomplished. He said
38 that there is more research to be done and believes there is more discussion
39 to take place between the city and the county.

40
41 Several councilmembers noted that the letters from the county have not been
42 collegial in their tone. Koney offered his apology that there is not more
43 recognition of the good work that has been done in the letters; however, he
44 observed that at least they are getting shorter.

1
2 In conclusion, Koney offered his best wishes and safe travels to Mayor *pro*
3 *tempore* Thompson and noted that the Parks division will miss their
4 vigorous repartee.

5
6 Sterner noted that the city attorney said that the amendment should be on
7 Page 3, line 13 and inserted as 3, and the following should be renumbered.

8
9 Sterner also recommended additional changes to the proposed amendment as
10 follows:

11
12 ~~“iv.—Specifies a 3.~~ *Shall specify* maximum posted speeds not to exceed
13 ~~10 15 MPH, provided that in order to promote safety and use of the trail by~~
14 ~~multiple users, a lower speed limit (e.g. 10 MPH) shall be posted in areas~~
15 ~~where there is user congestion, accident history, limited sightlines or other~~
16 ~~conditions that merit a lower speed limit. In the event that more than two (2)~~
17 ~~reported accidents involving more than one party occur within any 0.5 mile~~
18 ~~portion of any trail in a 12-month period, such portion of trail shall be~~
19 ~~deemed to be congested and/or to have other conditions meriting a lower~~
20 ~~speed limit and the posted speed limit in such areas shall, at the request of~~
21 ~~the City, be reduced (if previously higher) to not more than 10 MPH. If~~
22 ~~subsequent conditions change and a period of not less than 24 months passes~~
23 ~~without any reported accidents involving more than one party within the~~
24 ~~lower speed zone, the owner of the trail, with the Hearing Examiner’s~~
25 ~~consent, may request the City to increase the posted speed limit not to exceed~~
26 ~~15 MPH (subject to reduction again as provided above).”~~

27
28 Thompson concurred.

29
30 At 10:20 p.m. a five-minute recess was called for.

31
32 The meeting was resumed at 10:34 p.m.

33
34 ***Fiene moved to amend*** the proposed amendment as follows:

35
36 “...In the event that more than two (2) reported accidents, as recorded by the
37 City’s Chief of Police, involving more than one party occurs within any 0.5
38 mile....”

39
40 ***Kiest seconded. The motion to amend the proposed amendment carried***
41 ***unanimously.***

1
2 Tracy moved to amend proposed Ordinance 951 as follows:

3
4 Page 5, lines 13-14 (strike): ~~iv. Specifies a maximum posted speed not to~~
5 ~~exceed 10 MPH to promote safety and use of the trail by multiple types of~~
6 ~~users.~~

7
8 Thompson seconded. The motion to amend carried unanimously.

9
10 Thompson moved to amend the proposed amendment to Ordinance 951 as
11 follows:

12 “...reported accidents, when one factor of the cause of that accident was
13 excess speed, involving more than one party occur within any 0.5 mile...”

14
15 Olstad seconded.

16
17
18 At 11 p.m., councilmembers agreed to extend the meeting to 11:15 p.m.

19
20
21 Following discussion, the motion to amend failed 2-5 (Aye—Thompson,
22 Koppenol; Nay—Fiene, Sterner, Kiest, Olstad, Tracy).

23
24 The motion on the main amendment carried 5-2 (Aye—Fiene, Sterner,
25 Thompson, Olstad, Koppenol; Nay—Kiest, Tracy).

26
27
28 Koppenol raised issues related to trail signage at trail crossings, specifically
29 at private driveways. She reported that yield signs are in place along the
30 East Lake Sammamish Trail as they were proposed for Lake Forest Park.

31
32
33 At 11:16 p.m., councilmembers agreed to extend the meeting to 11:30 p.m.

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36 Koppenol moved to amend proposed Ordinance 951 as follows:

37
38 Page 2, line 38:

- 39
40 “1. Shall require for trail crossings with ~~driveways and~~ minor roadways:
- 41
- 42 a. ~~providing access to less than 50 homes~~ a yield sign for the trail
- 43 users, maintaining right-of-way to motor vehicular traffic with
- 44 advance warning signs on the trail and road ~~(unless there are~~

1 known conflicts that require a stop sign for the trail and/or
2 additional traffic control measures); or

- 3
4 b. ~~providing access to 50 or more homes~~ a stop sign for the trail
5 users, maintaining right-of-way to motor vehicular traffic when
6 traffic volume and/or sight distance limitations would warrant
7 stop signs on the trail for the safety of trail users with advance
8 warning signs on the trail and”

9
10 **Olstad seconded.**

11
12 Following discussion, **the motion failed 1-6 (Aye—Koppenol; Nay—Fiene,**
13 **Sterner, Thompson, Kiest, Olstad, Tracy).**

14
15
16 **Sterner moved to advance** Ordinance 951 to the final action calendar.

17 **Thompson seconded. The motion carried 6-1 (Aye—Fiene, Sterner,**
18 **Thompson, Kiest, Olstad, Tracy; Nay—Koppenol).**

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20
21 **FINAL ACTION CALENDAR**

22 **Ordinance 951/Relating to Conditional Use Ordinance; Amending LFPMC**
23 **18.54.047 Providing Specific Development Criteria Under Which a Multi-Use**
24 **or Multi-Purpose Trail May be Authorized as a Conditional Use**

25
26 **Sterner moved** adoption of Ordinance 951/Relating to Conditional Use
27 Ordinance; Amending LFPMC 18.54.047 Providing Specific Development
28 Criteria Under Which a Multi-Use or Multi-Purpose Trail May be Authorized
29 as a Conditional Use. **Thompson seconded.**

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31
32 At 11:30 p.m., councilmembers agreed to extend the meeting to 11:35 p.m.

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34
35 Following a brief discussion, **the motion to adopt Ordinance 951 carried 6-1**
36 **(Aye—Fiene, Sterner, Thompson, Kiest, Olstad, Tracy; Nay—Koppenol).**

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39 **NEW BUSINESS**

40 **New Topics for Discussion**

41
42 There was no objection to Olstad’s suggestion that the November 16, 2006
43 council meeting begin at 6 p.m. with an executive session for discussion of the

1 nominees for the councilmember *pro tempore* position. Thompson said that
2 the vote should be scheduled for immediately after the executive session.

3
4
5 Thompson reminded councilmembers that the proper procedure calls for
6 submitting proposed amendments to the budget to the council budget
7 committee. The budget committee meeting is scheduled for November 21.

8
9
10 **Thompson moved** to appoint Cmbr. Don Fiene to the council rules committee.
11 **Olstad seconded. The motion carried unanimously.**

12
13
14 Mayor *pro tempore* Dwight Thompson wished his colleagues the best and
15 said it has been a pleasure serving with them. He charged the council to take
16 good care of the City in his absence.

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18
19 **ADJOURNMENT**

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21 There being no objection, the council study session meeting was adjourned at
22 11:34 p.m.

23
24
25 _____
26 Susan Stine, City Clerk

27
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29 _____
30 Dwight A. Thompson, Mayor *pro tempore*