

CITY OF SHORELINE

**SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING**

Monday, March 7, 2011
7:00 p.m.

Council Chamber - Shoreline City Hall
17500 Midvale Ave. N., Shoreline, WA

PRESENT: Mayor McGlashan, Deputy Mayor Hall, Councilmember Eggen, Councilmember McConnell, Councilmember Roberts, Councilmember Scott, and Councilmember Winstead

ABSENT: None

1. CALL TO ORDER

At 7:00 p.m. the meeting was called to order by Mayor McGlashan, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor McGlashan led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exception of Councilmember Roberts, who arrived shortly thereafter.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Julie Underwood, City Manager, provided reports and updates on various City meetings, projects, and events.

4. COUNCIL REPORTS

Councilmember McConnell reported on the Regional Water Quality Committee meetings and their work plan for the coming year. Councilmember Eggen reported on the SeaShore Transportation Forum, noting that tolling on Highway 520 starts in two months. Deputy Mayor Hall announced that there was an upcoming King County Regional Policy Committee meeting. He discussed the Veterans and Human Services Levy and asked if the Council objected to him reporting that the Shoreline City Council supported the position to encourage reasonable proportion of funding to come back to Shoreline. Brief Council discussion followed and there was no objection stated.

5. PUBLIC COMMENT

a) John Durgin, Shoreline, suggested the City take the surplus steel from the Richmond Beach bridge crossing and create a walking path by the treatment plant.

6. APPROVAL OF THE AGENDA

Upon motion by Councilmember Eggen, seconded by Councilmember Scott and unanimously carried, the agenda was approved.

7. CONSENT CALENDAR

Upon motion by Councilmember McConnell, seconded by Councilmember Winstead and unanimously carried, the following Consent Calendar items were approved:

(a) Resolution No. 313 Initiating Vacation of 256 Square Feet of Aurora Avenue N, Adjacent to 18551 Aurora Avenue North and Setting a Public Hearing on Vacation

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS, AND MOTIONS

(a) Action on the Certificate of Appropriateness issued for Ronald School

Mayor McGlashan noted that this is a continuation of the appeal hearing of the Certificate of Appropriateness. Ian Sievers, City Attorney, noted that action on this item was postponed last week in order to do more research and provide information on the Landmarks Commission's recommendation to approve the Certificate of Appropriateness issued for the Ronald School.

Deputy Mayor Hall noted that he was contacted by a school supporter, but it doesn't affect his position on the matter. Mayor McGlashan commented that many people approached him on the item and he referred them to the Council meeting video. Councilmember McConnell added that people commented to her and she referred them to video as well.

Councilmember McConnell moved approval of Ordinance No. 597, denying the appeal and sustaining the recommendation of the Landmarks Commission. Councilmember Winstead seconded the motion. Councilmember McConnell spoke in favor of motion.

Councilmember Eggen stated that he received an email from a citizen questioning why the City staff recommendations weren't posted. Ms. Underwood replied that the City staff recommendations were posted in the staff report on the website.

Councilmember Roberts requested that the maker of the motion summarize the findings of procedure for the audience. Councilmember Winstead summarized the findings of fact and conclusions.

Deputy Mayor Hall spoke to the merits of the decision. He discussed the criteria and that it involves the extent to which it adversely affects features. He noted that he is convinced the Landmarks Commission exercised good judgment, and moving the building was an option that was considered. He supported the Landmarks Commission findings.

Councilmember Eggen asked if the building would have been deemed a landmark building if this modification had taken place prior to receiving the landmark status. Todd Scott, staff to Landmarks Commission, responded that the Commission probably wouldn't have approved a Certificate of Appropriateness that would negate landmark status. Councilmember Eggen replied

that he is not convinced that there was any error of decision and does not see anything that motivates him to overturn the decision.

Councilmember Roberts said there are lots of people active on both sides of this debate. He stated that it is unfortunate that the fate of the Ronald School building is going on and there is no debate about its usage. He felt that if the Shoreline School District treated the Museum and City as equal partners, it could have had a creative "win-win" solution. He stated that the Landmarks Commission did not have a quorum because Commissioner Stiles and Commissioner Rich recused themselves; thus, the quorum was lost. He said he hopes the City's boards and commissions follow codes respecting Shoreline residents. However, he said the Council is limited in what it can review and adjudicate. He concluded that the appellant must provide the burden of proof and the applicant fell short in meeting the Secretary of Interior Standards; however, he said he ultimately supports the motion.

Councilmember Scott said he raised the quorum issue and thanked the Council for allowing him to do so. Democracy is not always convenient, he said, but he is comfortable with the results. He supported the ordinance.

A vote was taken on the motion to adopt Ordinance No. 597 denying the appeal and sustaining the recommendation of Landmarks Commission, which carried unanimously.

RECESS

At 7:40 p.m., Mayor McGlashan called for a five-minute recess. At 7:47 p.m., the meeting reconvened.

9. STUDY ITEM

(a) Proposed Ordinance No. 595, Adoption of New Animal Control Regulations

Ms. Underwood introduced this item which proposed the adoption of the City's own animal control code. John Norris, Management Analyst, and Flannary Collins, Assistant City Attorney, provided the staff report.

Mr. Norris noted that the City's current animal control regulations are from King County and were adopted by Shoreline by reference. He noted that this makes animal control regulations more "user friendly" and better organized. They include citywide leash and waste removal laws and are more germane to Shoreline and are applicable to all animal control agencies. He displayed the differences from the current code and provided a matrix to highlight the changes. He noted that the item would come before the Council at the March 28 Council meeting for adoption.

Deputy Mayor Hall brought up the guard dog portion of the proposed code for Council discussion. Councilmember Roberts inquired about other cities like Seattle with guard dog codes, and Mr. Norris replied that he is not sure who has what and would find out for Council. Councilmember Roberts said he has some minor changes and noted that the proposed code says there is no limits to the number of cats a person can have. He also discussed the hobby cattery

definition and said there is some inconsistency in the code. Mr. Norris agreed that there are some King County and Shoreline Development code inconsistencies. He added that Shoreline Development Code 20.40.240 needs to be reconsidered later with the Planning Commission. He felt the Planning Commission will have to review the revisions. Ms. Collins replied that the Development Code will have to be revised. Mr. Norris also stated that the hobby kennel and cattery code does not refer to a commercial entity, but it is where four or more animals are bred and kept for show purposes. Councilmember Roberts inquired about chickens and Ms. Collins replied that the rules concerning chickens should reside in the Development Code. Mr. Norris agreed.

Councilmember Winstead addressed the definition of a service animal and suggested the City adopt the Americans with Disabilities Act (ADA) definition. Councilmember Eggen concurred and said the City should be generous with that definition, but it depends on the context. Councilmember Winstead added that the language should be "animals that are individually trained to perform tasks for people with disabilities." Councilmember Eggen questioned what the implications were and where service animals were allowed. Mr. Norris responded that he would also check ADA implications. Councilmember Roberts said he supports the idea of utilizing the ADA service animal definition.

Councilmember Eggen expressed concerns about guard dogs and supported Councilmember Roberts' concern about households having four or five cats. He felt the City should deal with the issue of chickens because there are noise issues with roosters. He also stated that guard dogs are a problem, but the City allows reptiles.

Ms. Underwood noted that her neighbor has rooster/chickens and it is a summertime issue, but usually they are quiet. After further discussion, Ms. Underwood summarized that staff and the Planning Commission will look into the issue of the number of cats and dogs per household as well as chickens. She also confirmed that the City staff should come back to the Council with an ADA definition and ensure the City has not missed anything as far as ADA compliance goes. Mr. Norris clarified that he didn't feel there is much going on with the guard dog licenses and felt there wouldn't be much that would change.

10. EXECUTIVE SESSION: Property Acquisition RCW 42.30.110(1)(b)

At 8:27 p.m., Mayor McGlashan announced that the Council would recess into an Executive Session for a period of 30 minutes to discuss a matter related to property acquisition, per RCW 42.30.110(1)(b). At 9:00 p.m., Mayor McGlashan announced that the Executive Session would be extended until 9:20 p.m. At 9:20 p.m., the Executive Session concluded and the Special Meeting reconvened.

11. ADJOURNMENT

At 9:20 p.m., Mayor McGlashan declared the meeting adjourned.

Scott Passey, City Clerk