

CITY OF SHORELINE

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

Monday, June 18, 2012
7:00 p.m.

Council Chamber - Shoreline City Hall
17500 Midvale Avenue North

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

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.

3. REPORT OF THE CITY MANAGER

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

4. COMMUNITY GROUP PRESENTATION

(a) SWEL Timebank

Jan Stewart and Joanne Donahue, founding members of SWEL Timebank, described their organization as a low-overhead, self-organized system that matches unmet needs with unused resources through the donation of work time by individuals. Ms. Stewart said it is a good investment and a way for community capital to augment the funding the City provides. She said she is currently looking for an investment from the City of Shoreline for a six-hour staff person.

A discussion then followed regarding membership fees and possibly accommodating this request by modifying the City's mini-grant program.

5. PUBLIC COMMENT

a) Lance Young, Shoreline, on behalf of the Interurban Trail Tree Preservation Society, encouraged the Council to continue to work on tree preservation in the tree ordinance by increasing the canopy percentage.

b) Boni Biery, Shoreline, described how her neighbors have removed so many trees that her property has been negatively impacted. She also stated that there is no record of them being removed.

c) Steve Zemke, Shoreline, commented on tree loss, tree tracking, and large versus small trees, adding that the Planning Commission recommendation doesn't go far enough but it's a step in the right direction.

d) Randy Bannecker, Bellevue, stated that the City staff recommendation offers flexibility and allows property owners more freedom to make reasonable improvements to their property and homes.

e) Bettelinn Brown, Shoreline, said the Planning Commission proposal is consistent with Shoreline values, noting that citizens opted to approve a parks bond levy wherein they paid almost \$10 million to preserve South Woods and Hamlin Park.

f) Elaine Phelps, Shoreline, expressed support for the Planning Commission recommendation and asked that the City not embody the Innis Arden Board's preferences because they do not represent the City's values.

g) Sigrid Strom, Shoreline, encouraged the Council to support the Planning Commission guidelines, noting that tree loss in her corner of the City is rapid and property rights are never meant to trump the community good.

h) Ruth Williams, Seattle, on behalf of Thornton Creek Alliance, expressed support for the Planning Commission recommendations, adding that the tree survey reveals little about the tree canopy.

i) Steve Johnston, Shoreline, urged the Council to reject the proposed changes by the Planning Commission, including the 30-inch tree recommendation, because there is no evidence of tree loss in the City.

j) Janet Way, Shoreline, Shoreline Preservation Society, supported the Planning Commission recommendation because the Council goal calls for increasing the City's tree canopy. She said the Growth Management Act requires the Growth Management Hearings Board to defer to local regulations, which means the Council has the power to take this action.

k) Tom Jaimeson, Shoreline, discussed property rights and said the goals and needs of the entire community don't outweigh the rights of the individual; they constrain public policy.

l) John Dixon, Seattle, said that 9,000 volunteer hours could be impaired by tree cutting in the Parkwood neighborhood, and that the code needs to be strengthened against a clear-cutting mentality in the City.

m) Richard Ellison, Seattle, supported the Planning Commission proposal, discussed the trees in Innis Arden, and displayed a 1944 aerial map showing tree canopy in Shoreline.

6. APPROVAL OF THE AGENDA

Upon motion by Councilmember Roberts, seconded by Councilmember Hall and unanimously carried, the agenda was approved.

7. CONSENT CALENDAR

Upon motion by Councilmember Roberts, seconded by Councilmember Winstead and unanimously carried, the following Consent Calendar item was approved:

(a) Motion to Authorize the City Manager to Execute a Purchase/Sale Agreement for Acquisition of Right-of-Way at 1175 N 205th Street for the Aurora Corridor Improvement Project (N 192nd to N 205th Streets)

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

(a) Motion to adopt Ordinance No. 640, Amending the Tree Conservation, Land Clearing and Site Grading Standards and the Critical Area Regulations; and Amending Chapter 20.50, Subchapter 5, and 20.80, Subchapter 1, of the Shoreline Municipal Code

Ms. Underwood highlighted that there are two versions of Ordinance 640: A-1 is the Planning Commission (PC) recommendation; A-2 is the City staff recommendation based on the status quo with some additional changes. She then introduced Paul Cohen, Planning Manager, who provided a brief staff report and outlined each of the items as reflected in the staff report.

Councilmember Hall moved to adopt Ordinance No. 640, Amending the Tree Conservation, Land Clearing and Site Grading Standards and the Critical Area Regulations; and Amending Chapter 20.50, Subchapter 5, and 20.80, Subchapter 1, of the Shoreline Municipal Code, Version A-1 as recommended by the Planning Commission. Councilmember Salomon seconded the motion.

Councilmember Hall spoke in favor of the motion and in support of preserving tree canopy. He also encouraged City staff to look for better ways to monitor the canopy.

Deputy Mayor Eggen expressed support for the motion. Responded to Deputy Mayor Eggen, Mr. Sievers noted that the City shouldn't react to threats of legal liability concerning the distinction between imminently hazardous trees and non-imminent trees.

Deputy Mayor Eggen moved to strike “The City retains the right to dispute the emergency and require that the party obtain a clearing permit and/or require that replacement trees be replanted as mitigation” from Section 20.50.310(A)(1)(c). Councilmember McConnell seconded the motion.

Deputy Mayor Eggen stated that unless the City provides criteria, this would allow the City to make an arbitrary decision to dispute an emergency and require a clearing and grading permit and replacement trees. Councilmember McConnell concurred and verified that this language isn't included in A-2. Councilmember Roberts opposed the amendment and agreed it allows discretion, but it isn't new. He noted that it also exists in Section 20.50.310(A)(2). Councilmember Salomon noted that there is a need to direct the Director to create criteria. Mr. Sievers noted the differences between the exemptions.

A vote was taken on the amendment to strike “The City retains the right to dispute the emergency and require that the party obtain a clearing permit and/or require that replacement trees be replanted as mitigation” from Section 20.50.310(A)(1)(c),” which failed 2-5, with Deputy Mayor Eggen and Councilmember McConnell voting in the affirmative.

Deputy Mayor Eggen moved to strike the word “six” and insert “maximum” in Section 20.50.350(B)(3). Councilmember Hall seconded the motion, which carried 7-0.

Councilmember Salomon expressed support for the motion but agreed with the City staff concerning the single family exemption from maintenance bonds.

Councilmember Salomon moved to strike the word “may” from Section 20.50.360 K(3) and insert “shall.” Councilmember Roberts seconded the motion, which carried 7-0.

Councilmember Hall moved to strike Section 20.50.300 E. Councilmember Winstead seconded the motion.

Councilmember Hall questioned the need to put tighter regulations on people if they are preparing their property for sale. He said everyone should be treated the same, whether trees are being retained or cut. There was Council discussion about the merits of making this change. It was noted that the Planning Commission favored retaining this section in order to strengthen the tree code; however, the staff opinion was that removing it doesn't weaken the code. Mr. Cohen noted that the Commission wanted to protect trees in underdeveloped lots. The Council continued discussing this change and determined that the section was not necessary.

Councilmember Roberts read Commissioner Perkowski's comments about 20.50.300 from the minutes of the May 21 PC meeting. Councilmember Salomon suggested having a Commission member at meetings like this when there are agenda items with competing recommendations in the future.

A vote was taken on the motion on the table to strike Section 20.50.300 E, which carried 7-0.

Mayor McGlashan passed the gavel to Deputy Mayor Eggen and moved to substitute 20.50.310 B., Partial Exemptions, with the staff recommended language in Ordinance No. 640 A-2 to allow the cutting of three to six trees with an exemption for six trees. Councilmember Winstead seconded the motion.

Mayor McGlashan noted that the City hasn't had a significant loss of trees, and no one is discussing the trees the City is gaining through the Aurora Project and other means. Councilmember McConnell concurred, adding that she opposes unnecessary mandates on private property owners.

Following Council comments about the size, number, and growth rates of trees along Aurora Avenue and elsewhere, **a vote was taken on the motion to substitute 20.50.310 B., Partial Exemptions, with the staff recommended language, which failed 2-5, with Councilmember McConnell and Mayor McGlashan voting in the affirmative.**

Mayor McGlashan regained the gavel.

There was continued Council discussion about various concerns involving permitting costs, property rights, fairness, and mandates versus incentives.

A vote was taken on the main motion to adopt Ordinance No. 640, Amending the Tree Conservation, Land Clearing and Site Grading Standards and the Critical Area Regulations; and Amending Chapter 20.50, Subchapter 5, and 20.80, Subchapter 1, of the Shoreline Municipal Code, Version A-1 as recommended by the Planning Commission and as amended, which carried 4-3, with Mayor McGlashan, Councilmember McConnell, and Councilmember Winstead dissenting.

Following a brief exchange, Ms. Underwood stated that the City staff will come back to Council to develop criteria and/or an alternate permitting scheme for trees. Ms. Underwood added that reports can be provided concerning the number of permits issued and having a one-time tree canopy study budget item added to the budget every three to five years.

RECESS

At 9:39 p.m., Mayor McGlashan called for a five minute break. The meeting reconvened at 9:44 p.m.

9. STUDY ITEMS

- (a) Discussion of the 2013-2018 Transportation Improvement Plan

Ms. Underwood introduced Kirk McKinley, Transportation Manager, and Alicia McIntire, Senior Transportation Planner, who provided the staff report. Mr. McKinley noted that the

Transportation Improvement Plan (TIP) is used as a starting point for future Capital Improvement Program (CIP) items and to pursue outside funding. Ms. McIntire noted that the City must adopt the six-year TIP and that it can include projects for all modes of transportation. She explained that the TIP is used for prioritized projects from Transportation Master Plan (TMP) and unfunded projects from last year's TIP. She discussed the types of projects and programs. Ms. McIntire highlighted the funding options for sidewalks and displayed a map of the unfunded projects.

Councilmember Roberts confirmed that if the City moved to an LID it wouldn't be included in the TIP report. Councilmember Hall favored having paved surface paths on sections of unopened right-of-way due to the tremendous safety and mobility benefits. Mr. McKinley noted that the curb, gutter, sidewalks program precedes the overlay program on streets. Councilmember Winstead agreed that the sections of unopened right-of-way should be paved, but did not favor them over the sidewalk program. Councilmember Salomon said he has heard a lot about sidewalks on the campaign trail and confirmed that adopting the TIP wouldn't have any fiscal impact to the City. Deputy Mayor Eggen concurred with Councilmember Winstead and said that sidewalks are a priority. He pointed out that the LID usually includes a city match and it would have an impact on the City's budget.

10. ADJOURNMENT

At 10:00 p.m., Mayor McGlashan declared the meeting adjourned.

Scott Passey, City Clerk