

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

Monday, July 1, 2013  
7:00 p.m.

Council Chambers - Shoreline City Hall  
17500 Midvale Avenue North

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

**ABSENT:** None

**1. CALL TO ORDER**

At 7:16 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.

**(a) Proclamation of Parks, Recreation and Cultural Services Month**

Mayor McGlashan read the proclamation declaring July 2013 as Parks, Recreation, and Cultural Services Month in the City of Shoreline. Mary Jo Gerst and Alice Lawson accepted the proclamation and thanked the City for this recognition.

**3. REPORT OF THE CITY MANAGER**

Debbie Tarry, Acting City Manager, provided reports and updates on various City meetings, projects, and events.

**4. COUNCIL REPORTS**

Councilmember Salomon reported that Washington State will fund salmon recovery committees with 70 million dollars for habitat restoration and to get the Chinook off the endangered species list.

Mayor McGlashan reported that several Councilmembers attended the AWC Conference in Kennewick, WA.

**5. PUBLIC COMMENT**

- a) Doug Bauer, Shoreline, commented on the need to amend the city code to ban roosters in residential areas.
- b) Suisan Westphal, Shoreline, described the problems caused by a nuisance case in her neighborhood and urged the City to pass a civil nuisance ordinance.
- c) Susan Armstrong, Shoreline, shared how certain activities impact the safety of the neighborhood and quality of life of its residents. She expressed support for a civil nuisance code.

6. APPROVAL OF THE AGENDA

**Upon motion by Councilmember Hall, seconded by Councilmember Roberts and unanimously carried, the Council rules were suspended in order to address Item 9(a) first.**

**Upon motion by Councilmember Winstead, seconded by Councilmember McConnell and unanimously carried, the amended agenda was approved.**

7. CONSENT CALENDAR

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

**(a) Minutes of Workshop Dinner Meeting of June 10, 2013; Minutes of Business Meeting of June 10, 2013; and Minutes of Workshop Dinner Meeting of June 17, 2013**

**(b) Authorize the City Manager to Execute a Purchase Order for the Acquisition of Solar Trash and Recycling Compactors**

8. STUDY ITEMS

(a) Discussion of Nuisance Property Management Code

Rachael Markle, Planning & Community Development Director, provided the staff report in conjunction with Kristie Anderson, Code Enforcement Officer, Sergeant Katie Larsen, Shoreline Police Department, and Kevin Fagerstrom, Code Enforcement Supervisor, City of Everett.

Ms. Markle explained that Council Goal #5, along with the most recent code enforcement action taken at a Meridian Park neighborhood home, has created a new emphasis on code enforcement and police relations. She shared that the City does not have regulations that hold property owners responsible for violations when the activities repeatedly occur on their property. A chronic nuisance ordinance is a tool that several area jurisdictions have employed to help eliminate repeat violations.

Sergeant Larsen reviewed violations that occurred at the "Cook House" at 1331 N 169<sup>th</sup> Street. Ms. Anderson explained the code enforcement action taken at this property and the limitation of

code enforcement tools available to staff. She also presented examples of other nuisance properties the City has had to deal with. Mr. Fagerstrom then described components of an effective chronic nuisance ordinance and emphasized that it is a problem-solving tool that enlists the owner/tenant in cleaning up the site. If the agreement is not adhered to, the city can then proceed with prosecuting the case criminally.

Ms. Markle outlined the next steps and requested direction from Council on moving forward with drafting an ordinance. She specifically asked for feedback on defining a chronic nuisance, the scope of nuisances to be included, and the enforcement processes.

Councilmembers asked questions and provided initial feedback. There was consensus that community safety is top priority and staff should move forward with drafting a chronic nuisance ordinance that:

- is based on data from documented problem houses.
- does not infringe on individual rights or pit neighbor against neighbor.
- focuses on criminal activity and is more selective on civil violations.
- strongly defines what a nuisance is.
- includes commercial and residential.
- provides tools to enforce regulations.
- shortens the timeframe to solve problem.
- gives leniency for owners/tenants that cooperate with cleanup.

#### 9. ACTION ITEM

Mayor McGlashan asked if there was objection to suspending the Council's Rules of Procedure for the July 8 meeting agenda in order to hold several public hearings and take action directly following each hearing. There were none.

##### (a) Adoption of Ordinance No. 663, Regional Green Development Code Amendments

Kim Lehmberg, Associate Planner, and Ray Allshouse, Building Official, outlined the proposed Development Code amendments that were discussed at the June 3, 2013 Council meeting. At that time staff introduced the Planning Commission recommendation and staff recommended changes. The regional package includes amendments to the building, plumbing, and electrical codes as well as land use (development) codes. The amendments as proposed in Ordinance No. 663 are specific to Shoreline's Development Code. These include provisions for: 1. setback flexibility for exterior insulation; 2. setback flexibility for rainwater catchment; 3. light pollution and light trespass; 4. electric vehicle infrastructure; and 5. bicycle parking. Staff provided additional information on light pollution and lighting regulations, and explained the difficulty of enforcing the grandfather clause for lighting fixtures. Staff also elaborated on electric vehicle infrastructure alternatives and wiring costs.

**Deputy Mayor Eggen moved adoption of Ordinance No. 663. The motion was seconded by Councilmember Hall.**

Councilmember Salomon expressed support for Ordinance No. 663 as drafted but is not convinced light trespass is a serious problem.

**Councilmember Salomon moved to amend the main motion to “grandfather in” any currently non-conforming light use. Deputy Mayor Eggen seconded the motion. The motion failed 1-6 with Councilmember Salomon voting in favor.**

**Councilmember Salomon moved to amend the main motion to state that enforcement of light trespass will only be complaint-driven. Deputy Mayor Eggen seconded the motion. Director Markle noted that Council could amend its approved list of enforcement priorities to address any concerns with existing code enforcement methods. The motioned failed 2-5 with Deputy Mayor Eggen and Councilmember Salomon voting in favor.**

**The main motion to adopt Ordinance No. 663 was approved unanimously.**

#### 10. EXECUTIVE SESSION

At 9:08 p.m., Mayor McGlashan announced that the Council would recess into an Executive Session for a period of 30 minutes to discuss potential litigation, per RCW 42.30.110 (1)(i). At 9:38 p.m. Mayor McGlashan emerged and announced that the Executive Session would be continued for 30 minutes. At 10:05 p.m. the Executive Session concluded.

#### 11. ADJOURNMENT

At 10:05 p.m. Mayor McGlashan declared the meeting adjourned.

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Scott Passey, City Clerk