

CITY OF SHORELINE

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

Monday, January 9, 2006
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, Councilmembers Gustafson, Hansen, McGlashan, Ryu, and Way

ABSENT: None

1. **CALL TO ORDER**

The meeting was called to order at 7:36 p.m. by Mayor Ransom, who presided.

2. **FLAG SALUTE/ROLL CALL**

Mayor Ransom led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

3. **CITY MANAGER'S REPORT**

Bob Olander, Interim City Manager, reported that City officers would be close on Monday, January 16, in observance of the Martin Luther King Jr. holiday. The next City Council meeting will be held Tuesday, January 17.

Mayor Ransom read an announcement commemorating the Martin Luther King Jr. holiday. He then reported on the Council appointments to various regional boards. Councilmember Hansen was appointed to the Puget Sound Regional Council (PSRC) Executive Board and the Suburban Cities Association (SCA) Board of Directors. Councilmember Ryu was appointed to the SeaShore Transportation Forum and is recommended for the PSRC Economic Development Committee. Councilmember Way was recommended for the SCA Solid Waste Committee, with Councilmember McGlashan as an alternate, and Councilmember McGlashan was recommended for the Homeland Security Subcommittee of the Emergency Management Committee. Councilmember Gustafson was appointed to Regional Water Quality and the Joint Recommendations Committee as well as the Water Resource Inventory Area 8 (WRIA-8) Steering Committee and Board. He will also be the alternate on the Public Issues Committee. Mayor Ransom will serve on the Regional Transit Committee and will be the primary representative on the Public Issues Committee.

Deputy Mayor Fimia read a statement outlining her intent not to make a motion to implement performance audits of City departments. She announced that George Mauer has also withdrawn as an applicant to lead that effort. She commented on Mr. Mauer's background and experience, noting that while he is very well qualified to perform such a task, perhaps her initial proposal should be given more time and consideration. She thanked staff and Council for the time and effort invested in drafting the initial scope of work, and said she looks forward to discussing and implementing performance measures in the City in the near future.

Mayor Ransom summarized that the Council will meet with staff to discuss performance measurements in the future.

Responding to Councilmember Gustafson, Deputy Mayor Fimia said it was a mutual decision to withdraw the proposal. Councilmember Gustafson wished to reserve the right to respond at the next Council meeting.

4. REPORTS OF BOARDS AND COMMISSIONS: none

5. PUBLIC COMMENT

(a) Myron Phillips, Shoreline, urged the Council to do what it can to retain the state liquor store in Richmond Beach. He commented on the potential loss of service, revenues, and jobs in the City. He noted that customers may go elsewhere to purchase liquor, and that Shoreline continues to lose businesses due to the Capital Improvement Plan. He presented a petition with 3,000 signatures in favor of keeping the store in Shoreline.

(b) Bob Mascott, Shoreline, asked for clarification of agenda item 9 – Executive Session. He then urged the Council to consider reinstating Council commissions in an effort to enhance citizen participation and refine issues before they are presented to the entire Council.

(c) Wendy DiPeso, Shoreline, commented on the need to follow Deputy Mayor Fimia's counsel on the review process and two-way communication. She urged the Council to establish citizen committees, emphasizing the need for healing and an exchange of ideas. She noted that citizens can voluntarily form their own committees to discuss relevant issues, so they do not necessarily require Council approval.

(d) Bronston Kenney, Shoreline, said Mayor Hansen's administration was an example of a lack of open process. He said citizens' concerns regarding cottage housing were ignored and the public was frequently excluded from the process. He said former City Manager Burkett was unfair and did not accommodate Councilmember Chang's disability. He commented that the cottage housing issue is still unresolved in Shoreline.

(e) Stan Terry, Shoreline, said he enjoys gambling at times, but he is concerned about the potential appearance of fairness issue because of the close ties

between the gaming industry and some Councilmembers. He said he supported the gambling tax reduction at the time, but he is reconsidering his position because the objectivity of some Councilmembers is now in question.

(f) Dennis Lee, Shoreline, concurred with Deputy Mayor Fimia's statement and expressed support for citizen advisory committees that include people from both sides. He would like to see creation of a forum to discuss process and issues of common interest. He hoped that this proposal could be implemented sooner rather than later.

(g) Eva Sledziewski, Shoreline, expressed concern that the proposed salary for a performance auditor is more than the State Auditor and nearly as much as the Governor. She said Councilmember Way stated there is an emergency in Innis Arden regarding tree cutting, but Mr. Olander said the City is not aware of any illegal cutting. She hoped the Council would indeed implement public debate and discussion of the issues.

(h) Fran Lilliness, Shoreline, displayed artist renderings of the Aurora Corridor project and expressed her preference to have the project completed as proposed. She expressed shock at the "outrageous" acts of the Council majority, noting that Shoreline incorporated to fulfill the dream articulated by Vision Shoreline. She said that dream was put to an end at the December 12 Council meeting.

(i) Vicki Westberg, Shoreline, expressed support for the new Council majority but emphasized the need for citizen input and consensus on the issues.

(j) Henk Kunnen, Shoreline, commented on traffic safety problems on 15th Avenue NE resulting from people driving too fast and the absence of a traffic signal at NE 170th Street. He suggested moving the pedestrian crossing light to the intersection next to the Anderson House. He also urged the Council to return 15th Avenue to a four-lane configuration.

(k) Clark Elster, Shoreline, commented on various traffic control problems related to the Aurora Corridor project. He said there is inadequate supervision of traffic at the intersection of NE 155th Street and Aurora Avenue. He felt that traffic control measures in North City were superior to those on Aurora Avenue.

(l) Bob Phelps, Shoreline, president of the Shoreline Museum Board of trustees, thanked the Council for approving the contracts the previous week. He then commented on the problems caused by off-leash dogs in City parks, including Boeing Creek Park. He said uncontrolled dogs are depleting the wildlife and he urged the Council to address this issue.

(m) Elaine Phelps, Shoreline, thanked the Council for enacting the moratorium last week and emphasized the emergency nature of the measure. She commented that land is sloughing off and putting homes in jeopardy. She clarified that people in Innis

Arden want to cut trees in the community reserves, not on their own property. She said much of the cutting has amounted to “wholesale slaughter” of the resource.

(n) LaNita Wacker, Shoreline, summarized that Shoreline voted for balance last November. She said voters supported Councilmembers McGlashan and Ryu for economic reasons and their positions on Fircrest and the developmentally disabled. She concluded that their mandate was for economic growth and compassion. She said since the vote was so close in Councilmember Way’s race, her challenge will be to represent all Shoreline citizens.

(o) Rick Stephens, Shoreline property owner, said the former City Manager limited the flow of information between the Council and staff, did not follow recommendations and City priorities. He clarified that sidewalks and street lighting are higher priorities than City Hall. He felt Mr. Mauer would have done a good job in helping the City move forward. He noted that the design provides for no access to the Interurban Trail Bridge from the east side of Aurora Avenue.

(p) Nora Kristjansson, Shoreline, noted that Dan Mann was allowed to address the Council at the past meeting as a School Board member, but all he did was speak about his own agenda. She commented that Shoreline was forced to adopt King County’s code regarding lot sizes, and when Deputy Mayor Fimia served on the King County Council she supported small 2,500 square-foot lots, which was the impetus to the cottage housing code.

(q) Denise Kellet, Shoreline, expressed support for the Animal Control contract and urged the City to conduct off-leash enforcement. She commented on the adverse effects of not enforcing a leash law in City parks, including loss of wildlife, habitat, and pollution.

(r) R. Carl Jacobs, Shoreline, read a poem he composed entitled “Blowin’ in Shoreline’s Wind” to illustrate cronyism and the violation of rights in Shoreline.

(s) Pat Crawford, Shoreline, noted that she used historical material from the Shoreline Museum to research Thornton Creek. She felt City staff should be required to use historical material to ensure the information they use is correct. She thanked the Council for imposing the tree-cutting moratorium and said that Shoreline residents enjoy a view of the Olympic peninsula because their residents protect their environment. She said it is not fair to require some people to protect the environment and not others.

(t) Dennis Heller, Shoreline, said Deputy Mayor Fimia’s statement does not change anything, and that the past Council helped create one of the best cities in the state. He said bad government began when the new Council majority was voted in, and firing Mr. Burkett is “bad governance.” He commented on the potential recall of Councilmembers and concluded that hiring Mr. Mauer would be “strike two” against the Council.

(u) Mark Deutsch, Shoreline, said the Council has received a lot of information on public process, and there is no need for a performance audit. He said productivity is not an issue, as Shoreline has had excellent financial statements. He was pleased to see that more people are involved in City business lately.

(v) Walt Hagen, Shoreline, said he has probably attended more meetings than most other residents, and that the former Mayor and Deputy Mayor limited public comment. He asked that the City's laptop computer be made available for public use for presentations at future Council meetings. He said citizens must be "kept in the loop," noting that past City newsletters censored information. He suggested that future Council agendas include "Neighborhood Reports."

(w) Pat Murray, Shoreline, said he has seen many public meetings and the past Council majority did not pay attention to the citizens. He said Monarch Appliance was poorly served by the City, and this is the fault of the former City Manager. He hoped the site for the future City Hall would be on existing public land. He recommended working with the state to build City Hall at the park-n-ride lot on Aurora Avenue at N 192nd Street.

Mr. Olander noted that there would be a public hearing on the tree moratorium on February 6, 2006.

6. APPROVAL OF THE AGENDA

Deputy Mayor Fimia moved to approve the agenda. Councilmember Way requested that Consent item 7(d) become Action item 8(a). Councilmember Gustafson seconded the motion, which carried 7-0, and the agenda was approved as amended.

7. CONSENT CALENDAR

Deputy Mayor Fimia moved approval of the Consent Calendar. Councilmember Gustafson seconded the motion, which carried 7-0, and the following consent items were approved:

**Minutes of Special Meeting of November 7, 2005
Minutes of Regular Meeting of November 14, 2005
Minutes of Workshop of November 21, 2005
Minutes of Dinner Meeting of November 28, 2005
Minutes of Cottage Housing Community Forum of
November 29, 2005
Minutes of Special Meeting of December 12, 2005**

**Approval of expenses and payroll as of December 29,
2005 in the amount of \$7,286,912.09**

Interlocal Agreement between the City of Shoreline and

Shoreline Fire Department relating to Development Review Process and Enforcement of the International Fire Code within the City of Shoreline

Approval of Contract with the Snohomish Publishing Company for the 2006 Recreation Guide

Authorizing the City Manager to execute the 2006-07 Department of Ecology Coordinated Prevention Grant Agreement in the amount of \$48,141

Authorizing the City Manager to execute the 2006-07 King County Waste Reduction and Recycling Interlocal Agreement in the amount of \$85,082

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

- (a) Interlocal Agreement between the City of Shoreline and King County regarding Animal Control Services

Deputy Mayor Fimia moved to approve the Interlocal Agreement between the City of Shoreline and King County for Animal Control Services. Councilmember Ryu seconded the motion.

Councilmember Way emphasized the need to enforce off-leash areas in the City. She concurred with the previous speakers that off-leash animals can have a negative impact on the environment and public health unless enforcement measures are taken. She asked the Parks director to discuss the proposal for an off-leash park.

Dick Deal, Parks, Recreation and Cultural Services Director, stated that off-leash pets are a low priority for King County Animal Control Services. However, a retired King County Animal Control officer in Shoreline is interested in working on this issue on a part-time basis. Mr. Deal commented on a proposal to do part-time enforcement as a test case and also explore the possibility of an off-leash park in Shoreline. He said a committee of citizens is presently evaluating the need.

Councilmember Way commented on the success of the Marymoor Park site.

Mr. Deal responded to Council questions. He noted that an exact dog population is not known, and that an off-leash park would require special fencing and other facilities. He felt an adequate dog park could be composed of one large site or several smaller sites.

Deputy Mayor Fimia wondered if there might be any private sites available for this use.

Councilmember Way hoped that degraded areas could be restored through enforcement.

Mr. Deal concluded the discussion by commenting on the funding included in the Parks bond for trail repair/relocation.

- (b) Ordinance No. 406, adopting the 2004 Docketed Development Code Amendments

Joe Tovar, Planning and Development Services Director, provided a brief background of the proposed Development Code amendments, noting that the changes are fairly minor. He stated that he would respond to Council questions on the changes.

Mayor Ransom called for public comment.

- (a) Pat Crawford, Shoreline, provided Councilmembers with a handout and commented that Washington Department of Fish and Wildlife did not respond to the City's first request for input on the Critical Areas ordinance because they didn't receive the request.

Deputy Mayor Fimia clarified that the update to the Critical Areas ordinance will be discussed at next week's Council meeting.

Councilmember Gustafson moved to pass Ordinance No. 406, adopting the 2004 Docketed Development Code Amendments. Councilmember Hansen seconded the motion.

Councilmember Gustafson commented on the extensive public process and the fact that there have been no citizen comments on the proposed changes. He supported the Ordinance as written.

Deputy Mayor Fimia commented on Amendment #21 (page 112 of the Council packet) and asked staff to clarify if Councilmembers are allowed to attend pre-application neighborhood meetings. She noted that a common criticism is that City staff is not present at pre-application neighborhood meetings.

Mr. Tovar said the code does not preclude staff from attending, but the purpose of the meeting is to initiate an informal process before the formal process begins. He felt if staff attends neighborhood meetings, it gives the impression that it is a City-sponsored meeting. Another purpose of the meeting is to obligate the developer to have a dialogue with the neighbors. He noted it would be an increased commitment of staff time if they are required to attend these meetings.

Deputy Mayor Fimia said the only recommendation she would make is to require staff attendance, since there are concerns that citizen comments have not been accurately reported.

Councilmember Way believed that the most difficult problems associated with neighborhood meetings relate to the issue of notification. She said people feel a sense of frustration of being “left out” of the process because they did not receive adequate notice. She suggested increasing the notice requirement to residents within 1,000 feet of a project and providing improved signage. She said public input can alert a developer to make changes before it reaches a project proposal stage.

Mr. Tovar said the topic of outreach is an important subject that he would like more time to study at greater length. He recommended that the Council approve the proposed amendments tonight and allow the Council and staff to look at the other related issues. He said there are other ways to address the notification issue besides mailed notice.

Councilmember Ryu asked about the timing of posting signage at a site proposed for action.

Kim Lehmberg, Planner, responded that signage is posted once the City receives a complete application. Following a decision on the application, residents have 14 days in which to appeal.

Councilmember Ryu wished to ensure that the notice of application is very prominent.

Councilmember McGlashan commented on the added expense to businesses of having to notify residents within a 1,000-foot radius.

Mayor Ransom expressed concern about Amendment #21 as well, noting that neighborhood meetings have been conducted at inconvenient times, and developers have been criticized for ignoring legitimate complaints. He suggested possibly adopting the Kirkland process in which staff attends neighborhood meetings.

Ms. Lehmberg noted that staff has required developers to hold neighborhood meetings a second time due to complaints.

Mr. Tovar added that there is plenty of room in the code to regulate neighborhood meetings. He said staff was correct in requiring the developer to comply with the code by holding the meeting again.

Mayor Ransom asked for the definition of Landmark tree as stated in Amendment #2. Mr. Tovar responded that certain trees can be nominated as a Landmark tree, which makes them difficult to cut down. The tree is nominated, it is evaluated by a certified arborist, and a recommendation is then made to the City Council. The tree cannot be cut without Council consent.

Councilmember Way reiterated that the changes to neighborhood meeting requirements may not resolve all the issues relating to notification.

Deputy Mayor Fimia noted that several changes have been made and suggested that Council see if the proposed changes reduce the number of complaints.

Ian Sievers, City Attorney, responded that Councilmembers can attend neighborhood meetings, but they cannot attend meetings relating to quasi-judicial matters because they will be acting as judges for those particular projects. He warned, however, against influencing staff and against attending the types of meetings outlined on page 121 of the Council packet.

Mr. Olander expressed interest in working with Mr. Tovar in refining the code and coming up with a recommendation in the future.

Councilmember Hansen pointed out that a neighborhood meeting is only a preliminary action, and a developer cannot submit an application until he has met the code requirements. He felt staff should not be required to attend neighborhood meetings.

A vote was taken on the motion, which carried 7-0, and Ordinance No. 406 was passed.

Councilmember Gustafson thanked Councilmembers Ryu and Way for putting their questions in writing. He also thanked the Mayor and Deputy Mayor for withdrawing the performance audit proposal and consideration of Mr. Mauer's application.

MEETING EXTENSION

At 9:42 p.m., Councilmember Gustafson moved to extend the meeting until 10:30 p.m. Councilmember Hansen seconded the motion, which carried 7-0.

9. EXECUTIVE SESSION

At 9:43 p.m., Mayor Ransom announced that the Council would recess into Executive Session until 10:30 p.m. to discuss property acquisition. At 10:30 p.m., he appeared and announced that the Executive Session would continue for another 15 minutes. At 10:45 p.m. the Executive Session concluded and the regular meeting reconvened.

10. ADJOURNMENT

At 10:46 p.m., Mayor Ransom declared the meeting adjourned.

Scott Passey, CMC
City Clerk

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