



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
September 6, 2016

1. CALL TO ORDER

Mayor Walen called the Study Session to order at 6 p.m. and the Regular Meeting to order at 7:30 p.m.

2. ROLL CALL

ROLL CALL:

Members Present: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Penny Sweet, and Mayor Amy Walen.

Members Absent: None.

3. STUDY SESSION

Motion to Convene an additional executive session at the end of the regular Council meeting to discuss pending litigation.

Moved by Councilmember Penny Sweet, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Penny Sweet, and Mayor Amy Walen.

a. Police Strategic Plan Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Deputy Director Marilynne Beard, Police Chief Cherie Harris, and from BERK consulting: Project Manager Brian Murphy, Lead Analyst Kristin Mardt, Strategic Advisor Virginia Gleason and Police Consultant Thomas A. Gleason.

4. EXECUTIVE SESSION

a. Closed Session to Discuss Labor Negotiations

Mayor Walen announced that Council would enter into a closed session to discuss labor negotiations and would return to regular meeting at 7:30 p.m. At 7:30 p.m. City Clerk Kathi Anderson announced that the Council would require an additional ten minutes. Council returned to the regular meeting at 7:40 p.m. Also in attendance at the closed session were City Manager Kurt Triplett, Deputy City Managers Marilynne Beard and Tracey Dunlap, Human Resources and

Performance Management Director Jim Lopez, City Attorney Kevin Raymond,  
Finance and Administration Director Michael Olson and Police Chief Cherie Harris.

5. HONORS AND PROCLAMATIONS

None.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Dede Renne  
Frank Dennis  
David Greschler  
Wayne Seminoff  
Jeff Anderson  
Jerilyn Anderson  
Christen Leeson  
Scott Morris  
Andy Honig  
Shannon Scovil  
Cindy Spangler

c. Petitions

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

a. Approval of Minutes: August 16, 2016

b. Audit of Accounts:

Payroll \$3,166,220.66

Bills \$5,079,514.87

run #1547 checks #604334 - 604335

run #1548 checks #604338 - 604451

run #1549 checks #604479 - 604497

run #1550 checks #604498 - 604683

run #1551 check #604684

run #1552 checks #604685 - 604861

run #1553 checks #604864 - 604865

c. General Correspondence

d. Claims

Claims received from Ian McCauley, Adam Mickelson, Matt and Sheryl Nelson, and Ionel Patilea were acknowledged via approval of the consent calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Ordinance O-4529, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND PROHIBITING PARKING IN BICYCLE LANES."

(2) Ordinance O-4530, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING THE AMOUNT OF PROPERTY TAXES TO BE LEVIED FOR THE YEAR 2016, THE SECOND YEAR OF THE CITY OF KIRKLAND'S 2015-2016 FISCAL BIENNIUM AND REPEALING ORDINANCE 4500."

(3) New Position for Parks and Community Services

Funding for a new temporary FTE Customer Service Supervisor from October to December 2016 in the amount of \$27,211.00 for implementation of a new recreation registration system was authorized via approval of the consent calendar.

(4) Resolution R-5206, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AMENDMENTS TO SECTION 3.24 OF THE KIRKLAND CITY COUNCIL POLICIES AND PROCEDURES, AND READOPTING ALL OF THE COUNCIL POLICIES AND PROCEDURES."

(5) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Penny Sweet, and Mayor Amy Walen.

9. PUBLIC HEARINGS

a. Resolution R-5205, Supporting Initiative Measure No. 735, Concerning a Proposed Amendment to the Federal Constitution.

Mayor Walen reviewed the parameters and opened the public hearing. Intergovernmental Relations Manager Lorrie McKay provided background on the Initiative, including the effect of the proposed measure. Also addressing the Council was "Yes on I-735" Campaign representative Jonathan Tong. A written statement from "No on I-735" Campaign representative Kelly Houghton was submitted as part of the hearing record. No further testimony was offered and the Mayor closed the hearing.

Deputy Mayor Arnold disclosed that he does contract information technology work for Fuse Washington, an organization that has endorsed Initiative 735 and further stated that Fuse Washington's endorsement would not impact his ability to consider the public input received this evening or to deliberate and vote on the Resolution before the Council. Councilmember Asher disclosed that he had worked to gather signatures to place the initiative on the ballot.

Motion to Approve Resolution R-5205, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SUPPORTING INITIATIVE MEASURE NO. 735, CONCERNING A PROPOSED AMENDMENT TO THE FEDERAL CONSTITUTION."

Moved by Councilmember Dave Asher, seconded by Councilmember Shelley Kloba

Vote: Motion carried 6-1

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Penny Sweet, and Mayor Amy Walen.

No: Councilmember Toby Nixon.

## 10. UNFINISHED BUSINESS

### a. Kirkland Cemetery Policy and Procedure Review

Graduate Intern Lindsay Mumm provided a summary of the results of policy and procedure review actions to date, recommendations, and next steps. Ms. Mumm and Finance and Administration Director Michael Olson responded to Council questions and comment.

### b. Ordinance O-4528, Relating to Land Use and Zoning and Amending Kirkland Zoning Code Chapter 115. (marijuana buffer requirements)

Planning and Building Director Eric Shields responded to Council questions.

Motion to Remove the matter of Ordinance O-4528 from the table.

Moved by Councilmember Doreen Marchione, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Penny Sweet, and Mayor Amy Walen.

Motion to Approve Ordinance O-4528, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING AND AMENDING KIRKLAND ZONING CODE CHAPTER 115, as amended."

Moved by Councilmember Dave Asher, seconded by Councilmember Penny Sweet

Vote: Motion carried 4-3

Yes: Deputy Mayor Jay Arnold, Councilmember Shelley Kloba, Councilmember Doreen Marchione, and Councilmember Toby Nixon.

No: Councilmember Dave Asher, Councilmember Penny Sweet, and Mayor Amy Walen.

Motion to Amend Ordinance O-4528, by changing the proposed distance requirement from 600 feet to 100 feet of the perimeter of the grounds of a child care center.

Moved by Councilmember Toby Nixon, seconded by Councilmember Doreen Marchione

Vote: Motion carried 4-3

Yes: Deputy Mayor Jay Arnold, Councilmember Shelley Kloba, Councilmember Doreen Marchione, and Councilmember Toby Nixon.

No: Councilmember Dave Asher, Councilmember Penny Sweet, and Mayor Amy Walen.

## 11. NEW BUSINESS

### a. 2015-2016 Urban Forestry Annual Report

Urban Forester Deb Powers provided an overview on progress towards urban forest strategic management plan goals and received confirmation/direction from Council on proposed initiatives, objectives, priorities and timing established in the citywide urban forest six-year work plan proposed for the upcoming 2016-2017 year.

## 12. REPORTS

### a. City Council Regional and Committee Reports

Councilmembers shared information regarding a recent Economic Development Council of Seattle and King County luncheon; and an upcoming Sound Cities Association event recognizing Representative Joan McBride.

### b. City Manager Reports

#### (1) Calendar Update

City Manager Kurt Triplett reminded the Council of the upcoming All City Dinner on September 22, and the postponement of the Everest Neighborhood meeting.

Motion to Direct the City Manager to prepare resolutions both for and against the Sound Transit ST3 ballot measure and schedule a public hearing for those to be considered.

Moved by Councilmember Toby Nixon, seconded by Councilmember Dave Asher

Vote: Motion failed 3 - 4

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, and Councilmember Toby Nixon.

No: Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Penny Sweet, and Mayor Amy Walen.

Councilmember Nixon made a request to refer the issue of virtual games that induce people to trespass on private and public property to the Public Safety Committee for discussion.

13. ITEMS FROM THE AUDIENCE

None.

14. EXECUTIVE SESSION

a. To Discuss Pending Litigation

At 9:30 p.m. Mayor Walen announced that Council would enter into an executive session to discuss pending litigation and estimated the length of the session to be thirty minutes. Council returned to regular meeting at 9:58 p.m. Also in attendance were City Manager Kurt Triplett, City Attorney Kevin Raymond, Finance and Administration Director Michael Olson, and Chief Information Officer Brenda Cooper.

15. ADJOURNMENT

The Kirkland City Council regular meeting of September 6, 2016 was adjourned at 10:00 p.m.

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City Clerk

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Mayor