



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
September 16, 2014

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

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

Members Absent: Councilmember Toby Nixon.

Councilmember Nixon was absent/excused due to travel for business out of the country.

3. STUDY SESSION
  - a. Aquatic, Recreation and Community Center Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Park Board Chair Adam White, Director of Parks and Community Services Jennifer Schroder, and consultants Mark Schatz, Architect with The Sports Management Group, Don Samdahl, Principal of Fehr & Peers, and Will Lisska, Transportation Engineer with Fehr & Peers. Parks Recreation Manager Linda Murphy also responded to Council questions.

4. EXECUTIVE SESSION
5. HONORS AND PROCLAMATIONS

None.

- a. Fire Prevention Week Proclamation

Fire Marshal Dave Walker accepted the proclamation from Mayor Walen and Deputy Mayor Sweet.

6. COMMUNICATIONS
  - a. Announcements
  - b. Items from the Audience

Elaine Darling  
Carl Bryant  
Gabrielle Rector

Dave Hale  
Grace Kachmarsky  
David Forcucci  
Nadia Popovici  
Philippe Nicolle  
Brian Marshall  
Katee Snedeker  
Shanaya de la Cruz  
Duane Hanson  
Lindsey Godfrey

c. Petitions

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

a. Approval of Minutes: September 2, 2014

b. Audit of Accounts:  
Payroll \$2,930,166.44  
Bills \$3,790,711.04  
run # 1347 check #555673  
run # 1348 checks #555675 - 555809  
run # 1349 checks #555834 - 556006

c. General Correspondence

d. Claims

Claims received from Hernan Gomez, Ross Everett LaBrant, Linda Ricard and Westwind Condo Association were acknowledged via approval of the Consent Calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Peter Kirk Elementary School Walk Route Sidewalk Project, Road Construction Northwest, Renton, Washington

Work on the Peter Kirk Elementary School Walk Route Sidewalk Project completed by Road Construction Northwest of Renton, WA was accepted via approval of the Consent Calendar.

g. Approval of Agreements

h. Other Items of Business

(1) Kirkland Intelligent Transportation Project (ITS) Implementation Phase IB - Budget Adjustment

Council authorized additional funding of \$90,000 for the Kirkland ITS Phase IB Project from the REET 2 reserve via approval of the Consent Calendar.

(2) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Jay Arnold

Vote: Motion carried 6-0

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

9. PUBLIC HEARINGS

- a. Ordinance O-4453 and its Summary, Relating to Land Use and Zoning, Amending Ordinance O-4447 to Extend the Interim Zoning Regulations Regarding the Retail Sale of Recreational Marijuana, Enacted by Ordinance O-4447, Providing for Severability, and Approving a Publication Summary.

Mayor Walen explained the parameters of the public hearing and declared it open. Planning and Community Development Director Eric Shields provided a brief overview of the issues and history to date, responded to Council questions and, following the testimony and vote, received Council direction. Testimony was provided by Andrew Honig, Kylie Hansen, Mark Nelson and Richard Guidice. No further testimony was offered and the Mayor closed the hearing.

Motion to Approve Ordinance O-4453 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, AMENDING ORDINANCE O-4447 TO EXTEND THE INTERIM ZONING REGULATIONS REGARDING THE RETAIL SALE OF RECREATIONAL MARIJUANA, ENACTED BY ORDINANCE O-4447, PROVIDING FOR SEVERABILITY, AND APPROVING A PUBLICATION SUMMARY."

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Penny Sweet

Vote: Motion carried 6-0

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

Council directed staff to bring an ordinance with odor regulations to a future council meeting. Council further decided to postpone making a decision about adopting final regulations for marijuana retail use until that time.

Council recessed for a short break.

b. Proposed Revenue Sources for 2015-2016 Budget

Mayor Walen explained the parameters and opened the public hearing. Financial Planning Manager Tom Mikesell reviewed the 2015-16 budget principles, projections, assumptions and process. No further testimony was offered and the Mayor closed the hearing.

10. UNFINISHED BUSINESS

a. Resolution R-5067, Relating to Planning and Land Use and Accepting the Recommendation of the Kirkland Planning Commission to Defer Action on the Houghton/Everest Neighborhood Center Citizen Amendment Requests Until the Completion of the Comprehensive Plan (File CAM13-00465, #14).

City Manager Kurt Triplett addressed the content and nuances of the resolution. Senior Planner Angela Ruggeri reviewed the Central Houghton and Everest Citizen Amendment Requests (CARs) and plan update timelines.

Motion to Approve Substitute Resolution R-5067, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO PLANNING AND LAND USE AND ACCEPTING THE RECOMMENDATION OF THE KIRKLAND PLANNING COMMISSION TO DEFER ACTION ON THE HOUGHTON/EVEREST NEIGHBORHOOD CENTER CITIZEN AMENDMENT REQUESTS UNTIL THE COMPLETION OF THE COMPREHENSIVE PLAN (FILE CAM13-00465, #14)."

Moved by Councilmember Jay Arnold, seconded by Deputy Mayor Penny Sweet  
Vote: Motion carried 6-0

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

Motion to Amend Substitute Resolution R-5067 by striking the ninth paragraph that states, "Whereas, The Everest Neighborhood Plan, along with all other Neighborhood Plans in the City, is being updated as part of the comprehensive Plan update process; and"

Moved by Councilmember Dave Asher, seconded by Councilmember Jay Arnold  
Vote: Motion failed 3 - 3

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, and Councilmember Doreen Marchione.

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

b. City Council Meeting with the Central Houghton Neighborhood

Motion to Use the regular process to conduct the October 1st City Council Meeting with the Central Houghton Neighborhood

Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Doreen Marchione

Vote: Motion carried 6-0

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

c. Review 2015-2016 Utility Rates - Part 2

Senior Operation and Finance Analyst Julie Elsom and Finance and Administration Director Tracey Dunlap reviewed proposed 2015-2016 Surface Water, Sewer and Water rates and responded to Council questions.

11. NEW BUSINESS

a. Resolution R-5068, Affirming the Hearing Examiner Decision Approving the Meritage Ridge Preliminary Subdivision in Department of Planning and Community Development File No. SUB13-02088.

Mayor Walen explained the parameters and opened the closed appeal hearing. Associate Planner Tony Leavitt provided a brief overview of the project and issues before the Council. Appellant Kathryn O'Neill then addressed the Council. The Applicant used her time before the Council to request a decision that evening. Ms. O'Neill then used the remainder of her time to provide further testimony to the Council. The Mayor concluded the hearing following the appellant's testimony.

Motion to Suspend Council Rule 25 in order to enable the Council to consider and vote on the appeal at this meeting.

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Penny Sweet

Vote: Motion carried 6-0

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

Motion to Approve Resolution R-5068, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THE HEARING EXAMINER DECISION APPROVING THE MERITAGE RIDGE PRELIMINARY SUBDIVISION IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SUB13-02088."

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Penny Sweet

Vote: Motion carried 6-0

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

Council recessed for a short break.

- b. Resolution R-5069, Approving an Agreement Regarding Payment and Use of SEPA Mitigation Fees and Impact Fees with SRMKII, LLC with Respect to the Phase II Google Campus Expansion Project.

Motion to Approve Resolution R-5069, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN AGREEMENT REGARDING PAYMENT AND USE OF SEPA MITIGATION FEES AND IMPACT FEES WITH SRMKII, LLC WITH RESPECT TO THE PHASE II GOOGLE CAMPUS EXPANSION PROJECT."

Moved by Councilmember Doreen Marchione, seconded by Deputy Mayor Penny Sweet

Vote: Motion carried 6-0

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

## 12. REPORTS

- a. City Council Reports

### (1) Finance and Administration Committee

Chair Marchione reported on the review of the 2015-2016 Utility Rates and that the next committee meeting on September 30 will be a joint meeting with the Planning and Economic Development Committee.

### (2) Planning and Economic Development Committee

Chair Arnold reported on the Lake Washington School District's decision to raise their impact fees; and that the Washington Cities Insurance Authority (WCIA) noted an inconsistency in the City's sign regulation.

### (3) Public Safety Committee

Chair Sweet reported that the Police department would be issuing an invitation to the Council for the opening of the new firing range.

### (4) Public Works, Parks and Human Services Committee

Chair Kloba reported on Human Services grant funding recommendations; long-term right-of-way ordinance; slurry seal project outreach update; and an Aquatic, Recreation and Community Center update.

### (5) Tourism Development Committee

None.

Legislative Committee Chair Asher reported on a meeting with State Representatives about Marijuana legislation; and the committee's

recommendation that the Council consider an endorsement of Initiative 594 at a future meeting.

Motion to Add a public hearing and resolution to consider endorsement of I-594 in October, as amended.

Moved by Councilmember Dave Asher, seconded by Councilmember Jay Arnold

Vote: Motion carried 5-1

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

No: Councilmember Shelley Kloba.

Motion to Amend the previous motion to include adding a public hearing and a resolution to consider endorsement of I-591.

Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Doreen Marchione

Vote: Motion carried 4-2

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

No: Councilmember Jay Arnold, and Councilmember Dave Asher.

At the request of Mayor Walen, Councilmember Asher reported on the Regional Transit Summit.

Councilmember Kloba reported that the Disability Board met and reviewed claims and confirmed that LEOFF members and their spouses are eligible for flu vaccines.

#### (6) Regional Issues

Councilmembers shared information regarding the Finn Hill Neighborhood Alliance's DennyFest; Kirkland Volunteer Gelato Social; Kirkland Police Promotion, Swearing-in and Awards Ceremony; Kirkland Chamber of Commerce Sustainable September Membership Luncheon; Eastside Timebank Auction; upcoming Kirkland Oktoberfest; upcoming All City Dinner; an Eastside Transportation Partnership meeting; a Puget Sound Regional Council Transit Oriented Development Committee meeting; an Emergency Management Advisory Committee meeting; a Metropolitan Solid Waste Advisory Committee meeting; the Mayor and City Manager's meeting with the Economic Development Council of Seattle and King County Executive Director; and the King County Regional Policy Committee meeting.

#### b. City Manager Reports

##### (1) Calendar Update

City Manager Kurt Triplett shared that the new Public Works Director Kathy Brown will begin work on October 6th; information related to the Eastside

Public Safety Communications Agency Board meeting; and an upcoming presentation on a proposed employee health clinic.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The September 16, 2014 Kirkland City Council regular meeting was adjourned at 11:48 p.m.

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City Clerk

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Mayor