



KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES
December 11, 2007

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

Members Present: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Members Absent: None.

3. STUDY SESSION

- a. Joint Meeting with the Parking Advisory Board

Joining Councilmembers for the discussion in addition to City Manager Dave Ramsay were Director of Public Works Daryl Grigsby, Public Works Transportation Engineering Manager Dave Godfrey, Public Works Parking Coordinator Tami White, Parking Advisory Board members Sarah Andeen, Dennis Brown, John Torrance, Jack Wherry, Chair Ken Dueker and Vice Chair Glenn Peterson.

4. EXECUTIVE SESSION
5. SPECIAL PRESENTATIONS
- a. Green Tips
6. REPORTS

- a. City Council

(1) Regional Issues

Councilmembers expressed good wishes for the holidays and shared information regarding the Association of Washington Cities Courts of Limited Jurisdiction Committee, AWC Housing Workgroup and legislative agenda; Eastside Affordable Housing Forum; Regional Law, Safety and Justice Committee; support for locally produced food purchases; Everett/Snohomish

County Affordable Housing Consortium; Lodging Tax Advisory Committee; Public Safety Communications Summit; Jail Advisory Group; and the Eastside Mayors/Legislators SR 520 meeting.

b. City Manager

(1) Performance Measures Report

Legislative Manager Tracy Burrows and Tammi McCorkle, Local Government Management Fellow provided an overview of the report.

(2) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Bob Style, 6735 Lake Washington Blvd., Kirkland, WA
Ken Davidson, 13215 Holmes Point Drive, Kirkland, WA
Johana Palmer, 12911 NE 128th Place, Kirkland, WA
Rob Brown, 108 2nd Street South, Kirkland, WA
Jim McElwee, 12907 NE 78th Place, Kirkland, WA
Maureen Baskin, 412 13th Avenue, Kirkland, WA
Dick Beazell, Kirkland Downtown Association, 12411 93rd Place NE, Kirkland, WA
Yury Levinzon, 13104 NE 117th Street, Kirkland, WA
Tim Olson, 1571 3rd Street, Kirkland, WA

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes:

(1) November 15, 2007

(2) November 20, 2007

b. Audit of Accounts:

Payroll \$ 3,840,624.13
Bills \$ 2,496,795.46
run # 709 checks # 494014 - 494165
run # 710 checks # 494168 - 494278

run # 711 checks # 494302 - 494550

c. General Correspondence

(1) Downtown Commercial Property Owners Group and Andrew G. Chavez Regarding, Moratorium on Downtown Development

d. Claims

(1) Donald C. Barrett

(2) Halbar-RTS, Inc.

(3) Debra McGuire

(4) James D. Twisselman Guardian ad Litem for Elizabeth C. J. Peters

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Carillon Woods Park Improvements

(2) Franklin Elementary School Improvements

g. Approval of Agreements

h. Other Items of Business

(1) Resolution R-4680, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND PROCLAIMING AN EMERGENCY AS OF DECEMBER 2, 2007."

(2) Issuing a Cabaret Music License to Brix Wine Cafe

(3) Ordinance No. 4123, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SIDEWALK CONSTRUCTION AND MAINTENANCE AND AMENDING PORTIONS OF CHAPTER 19.20 OF THE KIRKLAND MUNICIPAL CODE."

This item was pulled and moved to New Business item 11.e.

(4) City Manager Compensation:

(a) Resolution R-4678, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF KIRKLAND AND DAVID H. RAMSAY, ITS CITY MANAGER, AND AUTHORIZING THE MAYOR TO SIGN."

(b) Ordinance No. 4124, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE SALARY FOR THE CITY MANAGER."

Motion to Approve the Consent Calendar, with the exception of item 8.h.(3)., which was pulled to item 11.e. under New Business, and a correction to the draft response to item 8.c. (1).

Moved by Councilmember Mary-Alyce Burleigh, seconded by Deputy Mayor Joan McBride

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

9. PUBLIC HEARINGS

- a. Regarding Issue of Expansion to the Maximum Size for Cottage Housing Projects, File ZON07-00005

Mayor Lauinger opened the public hearing. Senior Planner Dorian Collins reviewed the hearing scope and issues. Testimony was also provided by:

Jim Soules, 8215 41st Avenue NE, Seattle, WA

Jim McElwee, 12907 NE 78th Place, Kirkland, WA

No further testimony was offered and the mayor closed the hearing.

- b. Ordinance No. 4120 and its Summary, Relating to Zoning, Planning, and Land Use and Amending Ordinance 3719 as Amended, the Kirkland Zoning Ordinance and Approving a Summary Ordinance for Publication, File ZON07-00005."

Motion to Approve Ordinance No. 4120 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON07-00005."

Moved by Deputy Mayor Joan McBride, seconded by Councilmember Mary-Alyce

Burleigh

Motion to Amend the provisions for ownership duration of affordability to fifty years rather than thirty years in Ordinance No. 4120 and its Summary.

Moved by Councilmember Dave Asher, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Council recessed for a short break.

10. UNFINISHED BUSINESS

a. 2007-2008 Mid Biennial Budget Update:

(1) Ordinance No. 4125, Amending the Biennial Budget for 2007-2008

Motion to Approve Ordinance No. 4125, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2007-2008."

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

(2) Resolution R-4679, Adopting the Fiscal Policies for the City of Kirkland

Motion to Approve Resolution R-4679, entitled "A RESOLUTION OF THE CITY OF KIRKLAND ADOPTING THE FISCAL POLICIES FOR THE CITY OF KIRKLAND."

Moved by Deputy Mayor Joan McBride, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- b. Ordinance No. 4126, Levying the Taxes for the City of Kirkland, Washington, for the Year 2008 and Repealing Ordinance 4117

Motion to Approve Ordinance No. 4126, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND LEVYING THE TAXES FOR THE CITY OF KIRKLAND, WASHINGTON, FOR THE YEAR 2008 AND REPEALING ORDINANCE 4117."

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- c. Ordinance No. 4127 and its Summary, Relating to Fees Charged Under KMC Chapters 5.74.070 and 21.74.030

Motion to Approve Ordinance No. 4127 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FEES CHARGED UNDER KMC CHAPTERS 5.74.070 AND 21.74.030.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- d. Awarding Contract for 116th Avenue NE (North Section) Non-Motorized Facilities Project to Trimaxx Construction Inc. and Authorizing Additional Funds

Motion to Approve pulling item 10.d. to a later date.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave

Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

11. NEW BUSINESS

a. Multifamily Housing Property Tax Exemption Update

Following a presentation by Planning Supervisor Dawn Nelson, Council provided direction on the elements to staff and requested an ordinance reflecting that direction be brought back for consideration at a future meeting. Arthur Sullivan of A Regional Coalition for Housing (ARCH) also responded to Council questions.

b. Lodging Tax Staffing Proposal

Assistant City Manager Marilynne Beard provided information regarding the Lodging Tax Advisory Committee's recommendation to use lodging tax revenue for tourism program staffing.

Motion to Approve the Lodging Tax Advisory Committee's recommendation regarding the use of lodging tax revenue for additional tourism program staffing. Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

c. Camwest Fifth Avenue, LLC Planned Unit Development and Historic Overlay Zone Final Decision:

Senior Planner Janice Soloff and Bruce Molton of CamWest provided information.

(1) Ordinance No. 4118, Relating to Land Use Approval of a Preliminary (and Final) Planned Unit Development (PUD) as Applied for by Camwest Fifth Avenue, LLC, in Department of Planning and Community Development File No. ZON07-00022 and Setting Forth Conditions of Said Approval

Motion to suspend the rules in regard to consideration of the issue.

Moved by Deputy Mayor Joan McBride, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Motion to Approve Ordinance No. 4118, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE APPROVAL OF A PRELIMINARY (AND FINAL) PLANNED UNIT DEVELOPMENT (PUD) AS APPLIED FOR BY CAMWEST FIFTH AVENUE LLC, IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON07-00022 AND SETTING FORTH CONDITIONS OF SAID APPROVAL."

Moved by Deputy Mayor Joan McBride, seconded by Councilmember Bob Sternoff

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

(2) Ordinance No, 4119, Approving a Development Proposal Submitted Under the Non-Project Related Quasi Judicial Rezone Provisions of Kirkland Zoning Code (KZC) Chapter 130 and Historic Overlay Zone Provisions of KZC Chapter 75 to Amend the Kirkland Zoning Map, Ordinance 3719, as Amended, to Add an Historic Landmark (HL) Overlay Zone Over a Portion of Subject Property Located in a Planned Area (PLA) 6B Zone as Applied for by Camwest Fifth Avenue, LLC in Department of Planning and Community Development in File ZON07-00022

Motion to Approve Ordinance No, 4119, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND APPROVING A DEVELOPMENT PROPOSAL SUBMITTED UNDER THE NON-PROJECT RELATED QUASI JUDICIAL REZONE PROVISIONS OF KIRKLAND ZONING CODE (KZC) CHAPTER 130 AND HISTORIC OVERLAY ZONE PROVISIONS OF KZC CHAPTER 75 TO AMEND THE KIRKLAND ZONING MAP, ORDINANCE 3719 AS AMENDED, TO ADD AN HISTORIC LANDMARK (HL) OVERLAY ZONE OVER A PORTION OF SUBJECT PROPERTY LOCATED IN A PLANNED AREA (PLA) 68 ZONE AS APPLIED FOR BY CAMWEST FIFTH AVENUE, LLC IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT IN FILE ZON07-00022."

Moved by Deputy Mayor Joan McBride, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

d. Miscellaneous Zoning and Municipal Code Amendments:

Consultant Planner Lauri Anderson reviewed the Planning Commission recommendation for ten amendments to the Zoning and Municipal Codes and received Council direction for bringing back the ordinances for consideration at a future meeting.

(1) Ordinance No. 4121 and its Summary, Relating to Zoning, Planning, and Land Use and Amending Portions of the Following Chapters of Ordinance 3719 as Amended, The Kirkland Zoning Ordinance: Chapter 1- User Guide; Chapter 5-Definitions; Chapter 10-Legal Effect; Chapter 15-RS Zones; Chapter 17-RSX Zones; Chapter; Chapter 20-RM Zones; Chapter 25- PR Zones; Chapter 27-PO Zones; Chapter 30-WD Zones; Chapter 35—FC Zones; Chapter 40—BN Zones; Chapter 45—BC Zones; Chapter 47—BCX Zones; Chapter 48—LIT Zones; Chapter 50—CBD Zones; Chapter 51—MSC Zones; Chapter 52—JBD Zones; Chapter 53—RH Zones; Chapter 54—NRH Zones; Chapter 55—TL Zones; Chapter 60—PLA ZONES; Chapter 72 - Adult Activities Overlay Zone; Chapter 75— Historic Landmark Overlay Zone and Historic Residence Designation; Chapter 80—Equestrian Overlay Zone; Chapter 95—Tree Management and Required Landscaping; Chapter 105—Parking Areas, Vehicle and Pedestrian Access, and Related Improvements; Chapter 115—Miscellaneous Standards; Chapter 117— Personal Wireless Service Facilities; Chapter 130—Rezoning; Chapter 142— Design Review; Chapter 150—Process IIA; Chapter 160—Process IV; Chapter 161—Process IVA; and Chapter 180—Plates; and Approving a Summary Ordinance for Publication, File No. ZON06-00033

(2) Ordinance No. 4122 and its Summary, Relating to Planning and Land Use and Amending Portions of the Following Titles of the Kirkland Municipal Code: Title 19—Streets and Sidewalks and Title 22—Subdivisions; and Approving a Summary Ordinance for Publication, File No. ZON06-00033

e. Ordinance No. 4123, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SIDEWALK CONSTRUCTION AND MAINTENANCE AND AMENDING PORTIONS OF CHAPTER 19.20 OF THE KIRKLAND MUNICIPAL CODE."

Council directed staff to provide additional clarification and information and to bring this ordinance back for Council consideration at their January 2, 2008 meeting.

12. ANNOUNCEMENTS

13. ADJOURNMENT

The Kirkland City Council special meeting of December 11, 2007 was adjourned at 11:20 p.m.

City Clerk

Mayor