CALL TO ORDER

Mayor Kathy Keolker-Wheeler called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

ROLL CALL OF COUNCILMEMBERS

DON PERSSON, Council President; RANDY CORMAN; TONI NELSON; DAN CLAWSON; DENIS LAW; TERRI BRIERE; MARCIE PALMER.

CITY STAFF IN ATTENDANCE

KATHY KEOLKER-WHEELER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; ALEX PIETSCH, Economic Development Administrator; DON ERICKSON, Senior Planner; DEREK TODD, Assistant to the CAO; CHIEF GARRY ANDERSON and COMMANDER KATHLEEN MCCLINCY, Police Department.

PUBLIC MEETING

Annexation: Park Terrace, NE 8th St & Duvall Ave NE

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker-Wheeler opened the public meeting to consider the 10% Notice of Intent petition for the proposed 7.65-acre Park Terrace Annexation, located south of NE 8th St. (SE 120th St.), if extended, and east of Duvall Ave. NE.

Don Erickson, Senior Planner, reported that the site is within Renton's Potential Annexation Area, and contains 17 single-family dwellings on an existing plat of 23 lots. The topography of the area slopes upward from the southeast corner to the northeast corner, and no environmental constraints have been identified. He noted that the site is served by Fire District #25, and is within the Water District #90 service area, the Renton sewer service area, and the Renton School District. Mr. Erickson stated that current King County zoning is R-4 (four units per gross acre), and Renton's Comprehensive Plan designates the site as Residential Single Family, for which R-8 (eight units per net acre) zoning is proposed.

Continuing, Mr. Erickson pointed out that this is a smaller annexation than normal, that it is an existing King County subdivision with inferior streets, and that future development is limited to six new lots. However, this annexation is a potential catalyst for the annexation of a larger unincorporated peninsula to the north. He noted the possibility of King County invoking jurisdiction if the annexation is submitted to the Boundary Review Board (BRB).

Mr. Erickson stated that the fiscal impact analysis indicates a deficit of $7,353 at full development, and there is an estimated one-time parks acquisition and development cost of $19,477. In conclusion, Mr. Erickson said the proposed annexation is consistent with Renton annexation and zoning policies, and with BRB criteria. He noted some potential flooding in the area, suggesting mitigation with future development; and except for parks, no major service issues have been identified.

Responding to Councilman Clawson's inquiry regarding the BRB invoking jurisdiction, Economic Development Administrator Alex Pietsch explained that during the BRB's 45-day review period of a submitted annexation petition, King County or another jurisdiction may invoke jurisdiction, which can potentially change the boundaries of the proposed annexation. If that occurs, the Renton City Council makes the final decision regarding whether or not to approve the
annexation with the amended boundary. He pointed out that the owners within the expanded area can challenge that decision in Superior Court.

Public comment was invited.

Bob Wenzl, Vineyards Construction, PO Box 2401, Kirkland, 98083, stated that he is the petitioner for the annexation, and he owns five of the vacant lots. He confirmed that the annexation is mainly sewer driven, and there is the potential of subdividing the existing vacant lots. Reporting that he has talked to every property owner in the subdivision, Mr. Wenzl indicated that over 65% of the owners are in favor of the annexation. He said that since there is no City-driven plan to provide sewer access, he would bring sewer to his lots and other lots at his cost. Mr. Wenzl concluded by stating he does not plan on constructing an apartment building.

Duncan Smith, 12115 138th Pl. SE, Renton, 98059, expressed concern that the developer called his wife at work to discuss the potential annexation. Mr. Smith stated that he opposes the high-density development that is occurring in other neighborhoods, and fears it will occur in his neighborhood as well. Additionally, Mr. Smith submitted a petition containing 31 signatures of residents within and near the site's boundaries who oppose the annexation.

Councilmembers questioned why Mr. Smith's wife was contacted at work by the developer. Mr. Erickson explained that he had discussed the annexation process with Mr. Smith's wife, and then informed the developer that some people within the annexation area were not aware of what was going on. He confirmed that his intent was to connect the questioning party with someone who could answer the questions.

Carol Peterson, 12115 138th Pl. SE, Renton, 98059, identified herself as Mr. Smith's wife, and voiced her unhappiness with being contacted at work by the developer. Ms. Peterson expressed the following concerns regarding the annexation: the rural nature of her neighborhood will change; the lack of information about the annexation proposal; the small size of the annexation area; and the costs the property owners will incur.

Mayor Keolker-Wheeler apologized for any confusion that occurred in trying to relay information regarding the annexation to Ms. Peterson. She advised that the State Growth Management Act mandates that land up to the urban growth boundary line must be annexed to Renton at some point in time. She expressed her understanding of citizens' concerns regarding the changing nature of their neighborhood.

Mayor Keolker-Wheeler also pointed out that zoning for the area is single-family, and citizens do not have to connect to the sewer unless they choose to. Additionally, she noted that this is not a City-initiated annexation.

Assistant City Attorney Zanetta Fontes pointed out for the record that when someone contacts City staff and information such as name, address, and telephone number is noted, the information is public record. Councilman Corman stated for the record that the City should be careful when putting a developer in contact with a citizen, and that permission to do so be sought from the citizen.

In response to Council President Persson's comments regarding liens on property for sewer connection, Planning/Building/Public Works Administrator Gregg Zimmerman explained that a notice of potential lien states that if at some
future date a property owner chooses to hook-up to the sewer, there is an obligation to pay their fair share for the sewer. If the property owner does not connect to the sewer, there is no lien attached to the property. He reviewed the private latecomer agreement process, and noted that some developers choose not to require payment for the sewer line installation.

Mr. Persson stated that if a resident's septic system fails and sewer connection is an option, it is the King County Public Health Department's decision as to whether the resident must connect to the sewer. He noted the value of having that option if the septic system should fail.

Wayne Wesson, 12003 138th Pl. SE, Renton, 98059, opposed the proposed annexation. He stated that he does not see why the City has to annex this area and other areas to the east, and he does not see why King County wants to dispose of the property. He expressed concern that the developer may develop his property differently than he is now indicating. Noting the deficit and one-time parks expense the City will encounter if the property is annexed, Mr. Wesson said if the City keeps annexing property, the money that is needed to manage the areas it already has will run out. He pointed out that the sewer line can be extended to the area even if it is not annexed to Renton.

Councilman Clawson stated that the site is not eligible for connection to Renton's sewer unless it is annexed. Additionally, he reviewed the purpose of the Growth Management Act, noting that the act is striving to prevent urban sprawl.

Councilwoman Briere pointed out that the King County tax rate is higher per household than Renton’s.

Lisa Wesson, 12003 138th Pl. SE, Renton, 98059, said she recently moved to Renton from North Bend, which is a city that has experienced heavy development. She pointed out that she likes the neighborhood the way it is, and expressed her disappointment about the potential development of the area.

Ardice Menager, 12021 140th Ave. SE, Renton, 98059, commented that she has lived in Renton since 1962, enjoys living in her neighborhood, and looks forward to annexing into the City of Renton. She also noted that a street light would be a welcome addition to the neighborhood.

Correspondence was read from Wayne and Lisa Wesson, 12003 138th Pl. SE, Renton, 98059, urging Council not to support the proposed annexation.

There being no further public comment, it was MOVED BY LAW, SECONDED BY PERSSON, COUNCIL CLOSE THE PUBLIC MEETING. CARRIED.

MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL: ACCEPT THE PARK TERRACE ANNEXATION 10% NOTICE OF INTENT TO ANNEX PETITION; AUTHORIZE THE CIRCULATION OF THE 60% DIRECT PETITION TO ANNEX; REQUIRE R-8 ZONING CONSISTENT WITH THE COMPREHENSIVE PLAN; AND REQUIRE THAT PROPERTY OWNERS ASSUME A PROPORTIONAL SHARE OF THE CITY’S OUTSTANDING INDEBTEDNESS. CARRIED.

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City’s recent progress towards goals and work programs adopted as part of its business plan for 2004 and beyond. Items noted included:

* IKEA Renton River Days begins this week at Liberty Park and other
locations. This annual festival celebrates all the amenities and activities that make Renton a great community in which to live, work, and play.

As of June 13th, 34 states plus Puerto Rico reported the presence of the West Nile Virus. The only western states with no detection are Washington, Oregon, Montana, Nevada, and Utah. Peak activity for the West Nile Virus is from late July through early September.

Beginning June 20th, nine members of the Police Department's Patrol Services Division will be assigned to "Quality of Life" issues in the Highlands. The areas between NE 7th St. to NE 27th St. and Edmonds Ave. NE to Monroe Ave. NE have been targeted and will be saturated with police patrols, animal control, and parking enforcement. This effort is a beginning to the strong nuisance abatement and City Code enforcement initiatives discussed by the Mayor earlier this year.

Community Services: "Into the Woods" Teen Musical

Mayor Keolker-Wheeler reported that she attended the opening performance of the teen musical "Into the Woods" at Carco Theatre, and she encouraged everyone to attend this fantastic show.

AUDIENCE COMMENT

Bob Wenzl, Vineyards Construction, PO Box 2401, Kirkland, 98083, stated that he has had the pleasure of working with the City of Renton since approximately 2000. Noting that he has worked with every city along the I-405 corridor, Mr. Wenzl stressed that Renton is the best city for a builder to work in and complimented the Planning/Building/Public Works Department staff. He pointed out that the City gets things done, is reasonable, and is proactive.

Citizen Comment: Johnson - Bus Shelter Installation, Main Ave S & S 4th St

Arland "Buzz" Johnson, 334 Wells Ave. S., #221, Renton, 98055, stated that he agreed with the potential removal of the bus shelter located on the east side of Main Ave. S. at S. 4th St. However, he indicated that a bus shelter is needed on the west side of Main Ave. S. In pursuing this matter, he learned that if 20 people use the bus stop every day, it may be eligible for a shelter. Mr. Johnson said that he has been trying to get more people to use the bus, and requested the City's support in helping to get a bus shelter at that location.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilwoman Briere, item 6.f. was removed for separate consideration.

Council Meeting Minutes of July 12, 2004


City Clerk: 2004 Renton Population

City Clerk reported the official population of the City of Renton as of April 1, 2004, to be 55,360 as calculated by the State of Washington Office of Financial Management. Information.

Community Services: Pavilion Building Renovation, Mithun Architects Repayment Extension

Community Services Department recommended approval to allow Mithun Architects to extend its repayment schedule to June, 2006, from the currently agreed to date of December 31, 2004, for the design irregularities on the Pavilion Building renovation project. Refer to Finance Committee.

Development Services: Skywire Short Plat ROW Dedication, Index Ave NE & NE 5th Pl

Development Services Division recommended acceptance of the dedication of additional right-of-way at the corner of Index Ave. NE and NE 5th Pl. to fulfill a requirement of the Skywire Short Plat (SHP-04-023). Council concur.

Annexation: Anthone’, Talbot Rd S & SE 192nd St

Economic Development, Neighborhoods and Strategic Planning Department submitted 10% Notice of Intent to annex petition for the proposed Anthone’
Annexation, 4.84 acres located east of Talbot Rd. S. and south of SE 192nd St., and recommended a public meeting be set on 8/02/2004, to consider the petition. Council concur.

Plat: Stonehaven, Main Ave S, PP-04-003

Hearing Examiner recommended approval, with conditions, of the Stonehaven Preliminary Plat; 36 single-family lots on 5.95 acres located at 4801 and 4815 Main Ave. S. (PP-04-003). Council concur.

Human Resources: 2004 Group Health Cooperative Medical Coverage Agreements

Human Resources and Risk Management Department recommended approval of the 2004 Group Health Cooperative medical coverage agreements for LEOFF I Employees; LEOFF I Retirees; and all other City of Renton covered employees. Refer to Finance Committee.

Utility: SW 7th St Storm System Improvement Project & Small Drainage Projects Program, Fund Transfer

Utilities Systems Division requested approval to transfer $165,000 from the NE 10th St. and Anacortes Ave. NE Storm System Improvement Project to the SW 7th St. Storm System Improvement Project ($120,000) and the Small Drainage Projects Program ($45,000). Refer to Utilities Committee.

MOVED BY PERSSON, SECONDED BY LAW, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 6.f. FOR SEPARATE CONSIDERATION. CARRIED.

Separate Consideration Item 6.f.
Fire: King County Emergency Medical Services Lease at Station #14

Fire Department recommended approval of a lease with King County in the amount of $751.29 per month plus escalation clause, to continue allowing the stationing of a King County paramedic unit in Renton's Fire Station #14.

MOVED BY BRIERE, SECONDED BY PERSSON, COUNCIL REFER ITEM 6.f. TO THE FINANCE COMMITTEE. CARRIED.

CORRESPONDENCE
Citizen Comment: Rigley - Sewer Service Connection Request, 148th Ave SE

A letter was read from David Rigley, 9845 148th Ave. SE, Renton, 98059, requesting connection to Renton's sewer for a future single-family residence at 9831 148th Ave. SE (King County parcel #032305-9257-06), located outside the Renton City limits.

Noting that this request meets City Code requirements, it was MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL APPROVE DAVID RIGLEY'S REQUEST FOR SEWER CONNECTION. CARRIED.

UNFINISHED BUSINESS
Public Safety Committee

Portable Generators, Noise Ordinance Revision

Public Safety Committee Chair Law presented a report concurring in the staff recommendation that Renton's noise ordinance be modified so portable generator use is permitted during times when no electrical service is available due to a natural disaster or power outage. The Committee further recommended that the ordinance regarding this matter be presented for reading at a subsequent meeting. MOVED BY LAW, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Transportation (Aviation) Committee

Public Works: Access Roads with RR Crossings for Barbee Mill Plat, Public or Private

Transportation (Aviation) Committee Chair Palmer presented a report regarding access roads for Barbee Mill Preliminary Plat (LUA-02-040). The property owner for the proposed plat has requested approval from City Council, designating the two proposed railroad crossings providing access to the site as public crossings. These two at-grade crossings of the Burlington Northern Railroad will provide access to a proposed residential subdivision between the railroad tracks and Lake Washington. At the suggestion of City staff, the applicant has requested that Council decide if these crossings should be publicly owned and maintained, or be developed as private crossings under the ownership and maintenance of the property owner or future homeowners' association. Following this decision and submittal of appropriate revised plans for the preliminary plat, a public hearing will be scheduled with the Hearing Examiner to continue with the approval process for the project.
The Committee recommended approval of the request to designate the two railroad crossings to the Barbee Mill development site as public railroad crossings. The Committee recommended required that the public railroad crossings be improved with active traffic control, including signals and gates. These crossing improvements are to be fully funded by the project developer, and without City financial participation. The Committee further recommended that City staff work with the property owner to petition the Washington Utility and Transportation Committee for approval of the two public railroad crossings.

The Committee supported the request to designate these railroad crossings as public crossings to ensure appropriate access to the public street system and public shoreline access points for the future development of the site. MOVED BY PALMER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT.*

Councilman Clawson expressed concerns about the liability associated with owning railroad crossings, and indicated his intent to vote no on the committee report.

Councilwoman Briere stated that the Committee felt it was important to have public railroad crossings since the crossings would be connecting public properties - the public access to the lake and the public streets. She pointed out that active signals and gates would be installed at the crossings.

Councilman Corman reported that Committee members discussed the liability issues, and decided that public ownership is a way to ensure the installation of active crossing gates. If the crossings were privately owned, active traffic control may not be installed. Additionally, he noted the importance of preserving public access to the lake.

Councilman Law agreed that the installation of active traffic controls at the railroad crossings will make them much safer than many of the crossings the City already owns.

Committee members discussed that it was the intent of the Committee to require active traffic control improvements at the railroad crossings. Councilman Clawson said since the Committee is requiring active traffic control, not just recommending it, he would concur in the Committee report.

*MOTION CARRIED.

RESOLUTIONS AND ORDINANCES

The following ordinance was presented for second and final reading and adoption:

Ordinance #5090
Council: Deferred Compensation Benefit

An ordinance was read amending Section 1-5-1.C of Chapter 5, Council, of Title I (Administrative) of City Code by including the deferred compensation benefit in the City Councilmembers’ salary description. MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

NEW BUSINESS
Citizen Comment: King - Allowing Pets in Gene Coulon Park

Council President Persson reported receipt of e-mail from Pat King, 4500 NE 6th Pl., Renton, 98059, requesting that the City allow leashed dogs in Gene Coulon Memorial Beach Park. MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL REFER THIS CORRESPONDENCE REGARDING
ALLOWING PETS IN GENE COULON PARK TO THE PARK BOARD AND COMMUNITY SERVICES COMMITTEE. CARRIED.

Annexation: Public Meeting/Hearing Notices

MOVED BY BRIERE, SECONDED BY CORMAN, COUNCIL REFER THE TOPIC OF ANNEXATION PUBLIC INFORMATION NOTICES TO THE PLANNING AND DEVELOPMENT COMMITTEE. CARRIED.

AUDIENCE COMMENT
Citizen Comment: Bonner - I-405 Corridor Project

Robert Bonner, 617 Cedar Ave. S., Renton, 98055, expressed concern regarding the effect the I-405 corridor improvements will have on Cedar Ave. S., and requested information about the I-405 project.

ADJOURNMENT

MOVED BY LAW, SECONDED BY CORMAN, COUNCIL ADJOURN. CARRIED. Time: 9:14 p.m.

Bonnie I. Walton, City Clerk

Recorder: Michele Neumann
July 19, 2004