

CITY OF LYNNWOOD
CITY COUNCIL BUSINESS MEETING MINUTES
January 26, 2009

1
2 10. CALL TO ORDER - The January 26, 2009 Business Meeting of the Lynnwood City
3 Council, held in the Council Chambers of Lynnwood City Hall, was called to order by
4 Mayor Gough at 7:00 p.m. The flag salute was led by Councilmember Ted Hikel.

5
6 20.

ROLL CALL

Mayor Don Gough
Council President Ruth Ross
Council Vice President Stephanie Wright
Councilmember Ted Hikel
Councilmember Loren Simmonds
Councilmember Jim Smith
Councilmember Mark Smith
Councilmember Lisa Utter

Others Attending:

Assistant Finance Director Heilman
Parks & Recreation Director Sordel
Economic Development Director Kleitsch
Public Works Director Franz
Police Chief Jensen
Fire Chief Olson
Community Development Director Krauss
Assistant Finance Director Haugan
Budget Analyst Harrigan
City Attorney Frimodt
Labor Relations Program Manager Itaoka
Human Resources Director Hall
Community Affairs Director Yim

Council Assistant Beth Morris
Executive Asst. Stephanie Simpson

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8
9 *Motion made by Council Vice President Stephanie Wright, seconded by Council President Ross,*
10 *to approve the absences of Jim Smith and Lisa Utter for the January 20 Work Session and*
11 *Councilmember Mark Smith for the January 21 Work Session. Motion passed unanimously.*

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13 30. APPROVAL OF MINUTES

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15 *Motion made by Councilmember Hikel, seconded by Councilmember Simmonds, to approve*
16 *the following minutes:*

- 17 A. *Work Session 01/05/2009*
18 B. *Business Meeting 01/12/2009*

19
20 Councilmember Hikel referred to page 30A-2, line 34, and noted that it should read,
21 *“Appointment will be **on the agenda for approval** ~~approved~~ at the January 12, 2009*
22 *Business Meeting.”* There was unanimous consent for this correction.

23
24 Councilmember Jim Smith referred to 30A-3, line 67. In order to clarify that action was not
25 taken at the work session, he suggested revising the second sentence to read: *“Resolution*
26 *2008-11 stands as adopted earlier **at a business meeting.**”* There was unanimous consent to
27 approve the revision.

28
29 *The minutes were approved unanimously as revised above.*

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31 40. MESSAGES AND PAPERS FROM THE MAYOR

1
2 40.1 Mayor Gough invited everyone to a civic celebration of the life of former Mayor Meryl
3 "Herk" Hrdlicka on January 29, from 5 to 7 p.m. at the Lynnwood Convention Center.
4

5 50. COUNCIL COMMENTS AND ANNOUNCEMENTS
6

7 50.1 Councilmember Simmonds announced he was starting his 10th year on the Council and
8 had some comments on the new seating arrangement.

9 50.2 Councilmember Mark Smith had no comments.

10 50.3 Councilmember Lisa Utter had no comments.

11 50.4 Councilmember Jim Smith announced he was starting his 22nd year on the Council.

12 50.5 Council President Ross had no comments.

13 50.6 Council Vice President Wright shared that she has been appointed to the National
14 League of Cities' Energy, Environment and Natural Resources Committee. They will
15 be meeting on March 15 in Washington DC before the National League of Cities
16 conferences.

17 50.7 Councilmember Hikel discussed the Dr. Martin Luther King celebration and the
18 inauguration of President Obama.
19

20 60. PRESENTATIONS AND PROCLAMATIONS
21

22 A. Resolution: Appreciation Stan Finkelstein, AWC Executive Director
23

24 *Councilmember Hikel read and moved for adoption of Resolution No. 2009-03, "A*
25 *RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON,*
26 *RECOGNIZING THE CONTRIBUTION OF STAN FINKELSTEIN TO THE CITIES OF*
27 *THE STATE OF WASHINGTON AND THE CITY OF LYNNWOOD." The motion was*
28 *seconded by Council President Ross and approved unanimously.*
29

30 70. WRITTEN COMMUNICATIONS AND PETITIONS - None
31

32 80. CITIZENS COMMENTS AND COMMUNICATIONS - None
33

34 90. BUSINESS ITEMS AND OTHER MATTERS
35

36 90.1 UNANIMOUS CONSENT AGENDA
37

38 Councilmember Mark Smith requested the removal of item A: *Approval: 2009*
39 *Equipment Rental Replacement Schedule.*

40
41 *Council President Ruth Ross moved for unanimous consent of the following Consent*
42 *Agenda items B, C, and D as follows:*
43

44 *B. Reappointment of Sandy Wong to Neighborhoods & Demographic Diversity*
45 *Advisory Commission*

46 *Re-appoint Sandy Wong to another term as a member of the Neighborhoods and*
47 *Demographic Diversity Advisory Commission.*
48

1 C. Revised Budget & Planning Calendar – 2009
2 Adopt the 2009 Budget & Planning Calendar for 2009.

3
4 D. Voucher Approval
5 Approve claims and payroll in the amount of \$1,254,299.90 and \$278,723.84 and
6 \$1,113,994.68 respectively, and that the lists be made a part of the record of this
7 Council meeting

8
9 The Consent Agenda was approved unanimously.

10
11 Councilmember Mark Smith requested that item 90.1A regarding Approval: 2009
12 Equipment Rental Replacement Schedule be brought back to a work session with a date
13 to be determined.

14
15 90.2 PUBLIC HEARINGS OR MEETINGS

16
17 A. Civic Banners and Signs/Special Events Exemption

18
19 Mayor Gough opened the public hearing at 7:15 p.m. The staff presentation was
20 given by Community Development Director Paul Krauss.

21
22 Public Testimony: None

23
24 Council Questions:

25
26 Councilmember Utter asked if the intent of this is that anything that the City
27 decides to sponsor will be exempted from requiring special events permits.
28 Community Development Director Krauss affirmed this. He noted that this would
29 pertain to events that staff brought to the Council for some sort of approval.

30
31 *Motion made by Council President Ross, seconded by Councilmember Simmonds,*
32 *to adopt Ordinance No. 2768, “AN ORDINANCE OF THE CITY OF*
33 *LYNNWOOD, WASHINGTON, AMENDING SECTION 5.30.015 AND SECTION*
34 *21.16.260 OF THE LYNNWOOD MUNICIPAL CODE RELATING TO SPECIAL*
35 *EVENTS AND TO CIVIC EVENT BANNERS AND SIGNS, PROVIDING FOR AN*
36 *EFFECTIVE DATE, SEVERABILITY, AND SUMMARY PUBLICATION” with the*
37 *insertion of January 26 on the blank on line 21. Upon a roll call vote, the motion*
38 *passed unanimously (7-0).*

39
40 The hearing was closed at 7:23 p.m.

41
42 90.3 UNFINISHED BUSINESS

43
44 90.4 OTHER BUSINESS ITEMS

45
46 A. Visioning: Adopt Living Document of City-Wide Vision Statements
47

1 *Motion made by Council President Ross, seconded by Councilmember Jim Smith,*
2 *to approve and adopt the following living document: Lynnwood Moving Forward:*
3 *Our Community Vision document as contained in the packet on pages 90.4A 2*
4 *and 3 with the strikeout of the word "Draft" in the title.*

5
6 Council President Ross stated that the Council is very pleased to adopt this. It is
7 the result of the visioning process of 400 citizens of Lynnwood.

8
9 Councilmember Jim Smith explained that this is an excellent tool that will be
10 extremely useful for planning purposes.

11
12 Councilmember Simmonds acknowledged the many people who have worked
13 diligently on this document. He emphasized his appreciation of their investment
14 of time, effort, and energy throughout the process. He believes the document truly
15 reflects the values and the vision of the community.

16
17 *The motion passed unanimously.*

18
19 B. Ordinance: Adoption of Salary Ordinance reflecting Compensation Study
20 Recommendations for 2008

21
22 *Motion made by Councilmember Simmonds, seconded by Council President Ross,*
23 *to adopt Ordinance No. 2769, "AN ORDINANCE AMENDING CHAPTER 2.48*
24 *OF THE LYNNWOOD MUNICIPAL CODE; AMENDING SECTION 2.48.175*
25 *RELATING TO THE BASIC PAY PLAN, AND SECTION 2.48.185 RELATING TO*
26 *PAY GRADE CLASSIFICATION FOR REGULAR EMPLOYEES OF THE CITY*
27 *OF LYNNWOOD NOT OTHERWISE COVERED UNDER A COLLECTIVE*
28 *BARGAINING AGREEMENT; PROVIDING FOR SEVERABILITY, PROVIDING*
29 *AN EFFECTIVE DATE AND FOR SUMMARY PUBLICATION."*

30
31 Councilmember Simmonds asked Human Resources Director Hall if there are any
32 mistakes or misprints on the grade level for any of the positions listed in the
33 material. Director Hall stated that there is at least one position where the
34 employee has talked about a request for an appeal. She was not aware of any
35 other items that would constitute a mistake. Councilmember Simmonds asked
36 how they would go about making correction if they were needed. Director Hall
37 reviewed the process for making corrections. Councilmember Simmonds hoped
38 that any corrections that need to be made would be brought back in a timely
39 manner. Director Hall indicated that the process would probably take 5-6 weeks.

40
41 Councilmember Simmonds then asked about two positions that he did not see
42 listed in the pay grade classification – the Outreach Aid and the Special Assistant
43 to the Mayor. Director Hall stated that the Outreach Aid is treated as a limited
44 term position and has been titled as a Recreation Coordinator. It is in the Salary
45 Ordinance. The Special Assistant to the Mayor has been titled Assistant City
46 Administrator in the Ordinance. Councilmember Simmonds expressed some
47 concern about the duties of that position.

1 Councilmember Hikel pointed out that the two Assistant Directors for Finance
2 appear to be on different levels. This is inconsistent with other departments.
3 Director Hall noted that the consultants slotted the positions based on market data
4 and the job evaluation points. The City can make the decision to make an
5 adjustment to place the Assistant Finance Director for Treasury above the
6 Manager positions, which would be consistent with the way it has been done in
7 the past. This could be dealt with at the Request for Review process. It is likely
8 that this particular position will come back to the Council. Councilmember Hikel
9 stated that he would be uncomfortable approving it at the level stated in the
10 document.

11
12 *Motion made by Councilmember Hikel, seconded by Councilmember Simmonds,*
13 *to change the pay grade of the Assistant Finance Director – Treasury from 623 to*
14 *624.*

15
16 Councilmember Jim Smith stated that he would be uncomfortable making this
17 last-minute change without better information.

18
19 Councilmember Mark Smith concurred with Councilmember Jim Smith.

20
21 Councilmember Utter suggested as an alternative that this particular review be
22 done and brought back for action by the end of February. Mayor Gough noted that
23 the dates and times for review had not yet been determined. This would have to
24 be considered in the normal course of all the other requests that are going on. She
25 stated that she would be voting against the motion because of the last-minute
26 nature of it.

27
28 *The motion to approve the amendment to the pay grade of the Assistant Finance*
29 *Director – Treasury to 624 passed.*

30
31 Councilmember Mark Smith agreed that they need more clarity regarding the
32 position of Assistant City Administrator in the Executive Department.

33
34 He referred to page 90.4B-2, lines 46-53 regarding the *red-circled positions*. He
35 asked Director Hall to explain for the record what this means. Director Hall
36 explained that red-circled employees are those who are above the maximum of
37 their new pay ranges. She reviewed some of the options for dealing with those
38 employees' pay. Staff is proposing that this be brought back for a policy-level
39 discussion at a later date.

40
41 *Councilmember Utter moved to add a section 7 at the bottom of page 90.4B6 that*
42 *states: "A report of all appeals and suggested resolutions shall be brought to the*
43 *Council by or before March 30, 2009."*

44
45 Council President Ross asked Director Hall if there is a deadline for people to
46 appeal this. Director Hall stated that there will be a deadline, but they are in the
47 process now of preparing the final letters and vetting the final information with

1 department heads. There will then be a period of time for people to express
2 concerns and have questions answered prior to filing an appeal.

3
4 *Council President Ross moved to amend the amendment to state that a report*
5 *would come back to the Council, on the process, including dates, times and*
6 *number of appeals that have been received, by March 30. The motion to amend*
7 *the amendment was seconded by Councilmember Hikel and approved*
8 *unanimously.*

9
10 *The amendment to the Ordinance was approved unanimously.*

11
12 *Upon a roll call vote, the Ordinance was approved unanimously (7-0).*

13
14 C. Ordinance: Adoption of Revised Salary Ordinance for 2009

15
16 *Motion made by Councilmember Hikel, seconded by Council President Ross, to*
17 *approve Ordinance No. 2770, "AN ORDINANCE AMENDING CHAPTER 2.48*
18 *OF THE LYNNWOOD MUNICIPAL CODE; AMENDING SECTION 2.48.175*
19 *RELATING TO BASIC PAY PLAN, AND SECTION 2.48.185 RELATING TO PAY*
20 *GRADE CLASSIFICATION FOR REGULAR EMPLOYEES OF THE CITY OF*
21 *LYNNWOOD NOT OTHERWISE COVERED UNDER A COLLECTIVE*
22 *BARGAINING AGREEMENT; PROVIDING FOR SEVERABILITY, PROVIDING*
23 *AN EFFECTIVE DATE AND FOR SUMMARY PUBLICATION." And that the*
24 *second item in Finance Director section, the Assistant Finance Director –*
25 *Treasury, be changed from 623 to 624 and that a section 7 be added with the*
26 *same language identified in Ordinance No. 2769.*

27
28 Councilmember Hikel complimented the Human Resources Department and
29 Director Hall in particular for their hard work on this.

30
31 *Upon a roll call vote, the motion passed unanimously (7-0).*

32
33 Director Hall thanked the Council for their hard work on this.

34
35 D. Appoint Council Representatives to Internal Committees for 2009

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37 Council President Ross made the following appointments:

38
39 Council Liaison to the Arts Commission - Ruth Ross

40
41 Audit & Insurance Committee:

42 Rep 1 - Mark Smith, Chair

43 Rep 2 - Loren Simmonds

44 Rep 3 - Stephanie Wright

45
46 Disability Board:

47 Rep 1 - Jim Smith

48 Rep 2 - Loren Simmonds

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2 Historical Commission - Lisa Utter

3
4 Library Board - Ted Hikel

5
6 Lynnwood PFD - Mark Smith

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8 Neighborhood & Diversity Commission - Loren Simmonds

9
10 Parks & Recreation & Cultural Arts - Stephanie Wright

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12 Planning Commission - Ted Hikel

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14 Rep/Housing Consortium - Stephanie Wright

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16 E. Ordinance, Financial Plan and Consultant Contract: Lift Station #16 Design

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18 *Motion made by Councilmember Hikel, seconded by Council President Ross, to*
19 *adopt Ordinance No. 2771, "AN ORDINANCE AMENDING ORDINANCE 2591*
20 *ESTABLISHING PROJECT COMPLETION FUNDING FOR PROJECT FUND*
21 *411, LIFT STATION NO. 16 PHASE 2, PROVIDING FOR SEVERABILITY;*
22 *ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY*
23 *PUBLICATION." Upon a roll call vote, the motion passed unanimously (7-0).*

24
25 *Motion made by Councilmember Hikel, seconded by Councilmember Simmonds,*
26 *to authorize the Mayor to enter into and execute on behalf of the City a contract*
27 *with RW Beck Seattle, WA, for an amount not to exceed \$429,200, including a*
28 *management reserve of approximately 10%. Motion passed unanimously.*

29
30 100. NEW BUSINESS

31
32 100.1 Councilmember Jim Smith requested that information be brought back to Council
33 as to why residents were charged for garbage pickup when they missed days
34 during the inclement weather in December. He said he also had a fuel surcharge
35 on his bill, but no service was performed. Public Works Director Bill Franz will
36 investigate and get back to Council.

37
38 100.2 Councilmember Hikel requested an outline of upcoming agenda items. Council
39 President Ross indicated she would provide that.

40
41 100.3 Councilmember Loren Simmonds would like to discuss the upcoming AWC
42 Legislative Session in Olympia (2/18-2/19). In particular, he would like a list of
43 the legislative issues that the South County Cities members will be addressing at
44 the session.

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46 110. STAFF REPORTS

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48 90.4. OTHER BUSINESS ITEMS

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F. Executive Session

Mayor Gough recessed into Executive Session at 8:15 p.m. for 30 minutes to discuss the 204th Street contract and potential litigation involving a billboard in the City. There was an extension at 8:45 for fifteen minutes and another extension at 9:00 for ten minutes.

120. ADJOURNMENT

The Council reconvened and immediately adjourned the meeting at 9:10 p.m.

Don Gough, Mayor

John Moir
Finance Director