



## SPECIAL MEETING MINUTES

6:00 p.m.

&

## REGULAR MEETING MINUTES

7:00 p.m.

June 21, 2010

Burien City Hall, Council Chambers  
400 SW 152<sup>nd</sup> Street, 1<sup>st</sup> Floor  
Burien, Washington 98166

*To hear Council's full discussion of a specific topic or the complete meeting, the following resources are available:*

- Watch the video-stream available on the City website, [www.burienwa.gov](http://www.burienwa.gov)
- Check out a DVD of the Council Meeting from the Burien Library

### CALL TO ORDER

Mayor McGilton called the Special Meeting of the Burien City Council to order at 6:00 p.m.

### PLEDGE OF ALLEGIANCE

Mayor McGilton led the Pledge of Allegiance.

### ROLL CALL

Present: Mayor Joan McGilton, Deputy Mayor Rose Clark, Councilmembers Brian Bennett, Jack Block, Jr., and Kathy Keene. Councilmember Shaw arrived at 6:01 p.m. Councilmember Krakowiak arrived at 6:08 p.m.

Administrative staff present: Mike Martin, City Manager; Craig Knutson, City Attorney; Jenn Ramirez Robson, Management Analyst; Scott Greenberg, Community Development Director; Jan Vogee, Building Official; David Johanson, Senior Planner; and Monica Lusk, City Clerk.

### CORRESPONDENCE FOR THE RECORD

- a. Response from Jenn Ramirez Robson, Management Analyst, to Email Dated June 2, 2010, from Bernice E. Bellamy, Volunteers for King County Animals, Regarding Burien Animal Control and Sheltering.
- b. Letter Dated June 7, 2010, from Robert and Robbie Howell Regarding Input into Critical Areas Ordinance and Shoreline Master Program.
- c. Letter Dated June 7, 2010, from Ted and Helen Fosberg Regarding Concern About the Negative Impact of the Shoreline Management Program.
- d. Letter Dated June 8, 2010, from G. Brice Martin, Martin Properties, Regarding Multi-Family Fire Alarm Requirements.
- e. Email Dated June 10, 2010, from Andy Ryan Regarding Questions for SMP Public Forums.

- f. Email Dated June 11, 2010, from Linda Hall, Legal Secretary, Transmitting Letter Dated June 11, 2010, from John M. Groen, Stephens & Klinge LLP, Regarding Shoreline Master Program Update.
- g. Email Dated June 11, 2010, from William Halstead and JoEllen Kuwamoto Regarding Comments on Shoreline Master Program.
- h. Email Dated June 16, 2010, from Chestine Edgar Regarding Monday Night Presentation by the Science Experts-June 14, 2010.
- i. Email Dated June 16, 2010, from Andy Ryan Regarding Burien SMP Conversation.

#### **CONSENT AGENDA**

- a. Approval of Vouchers: Numbers 25227 - 25363 in the Amounts of \$744,548.90.
- b. Approval of Minutes: Council Special Meeting, June, 14, 2010; Council Meeting, June 7, 2010.
- c. Motion to Approve Proposed Ordinance No. 538, Amending the Business License Code.
- d. Motion to Approve Resolution No. 313, Adopting Programs and Policies to Curb Green House Gas Emissions.

#### **Direction/Action**

**Motion** was made by Deputy Mayor Clark, seconded by Councilmember Shaw, to approve the June 21, 2010, Consent Agenda. **Motion** passed 5-1. Opposed, Councilmember Shaw.

#### **BUSINESS AGENDA**

##### **City Business**

Scott Kimerer, Police Chief, stated it is illegal to possess and discharge fireworks in the City. Both Fire and Police Departments have the authority to issue citations for the civil infractions; citations are \$125 for each violation.

##### **Public Hearing and Consideration of Adopting Proposed Ordinance No. 542, Modifying the Boundaries and Functions of TBD No. 1**

Councilmember Krakowiak arrived at 6:08 pm.

Mayor McGilton opened the public hearing at 6:08 p.m.

The following spoke for proposed Ordinance No. 542, modifying the boundaries and functions of TBD No. 1:

Ed Dacy, 2016 SW 146<sup>th</sup> Street, Burien

The following spoke against proposed Ordinance No. 542, modifying the boundaries and functions of TBD No. 1:

Stephan Lamphear, 12011 18<sup>th</sup> Ave. SW, Burien

There being no further testimony, Mayor McGilton closed the public hearing at 6:15 p.m.

**Direction/Action**

**Motion** was made by Deputy Mayor Clark, seconded by Councilmember Shaw, to adopt Ordinance No. 542, which amends Ordinance No. 516 by modifying the functions and boundaries of the Transportation Benefit District known as TBD No. 1 in order to support the City's Street Overlay Program. **Motion** passed 4-3. Opposed Councilmembers Bennett, Krakowiak, and Shaw.

**Motion to Approve Ordinance No. 543, Relating to Responsibilities for Animal Control Licensing and Enforcement**

**Direction/Action**

**Motion** was made by Deputy Mayor Clark, seconded by Councilmember Shaw, and passed to adopt Ordinance No. 543 amending Title 6 of the Burien Municipal Code relating to responsibilities for animal control licensing and enforcement and providing for severability and an effective date.

**Motion** by Councilmember Block, second by Councilmember Shaw, to amend the motion to establish the license fee at \$20 per animal as opposed to \$15. **Motion** passed 4-3. Opposed Mayor McGilton, Councilmembers Keene and Shaw.

A vote was taken on the main motion as amended. **Motion** passed 5-2. Opposed, Councilmembers Krakowiak and Shaw.

**Direction/Action**

**Motion** was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, to authorize the City Manager to execute the animal control services contract between the City of Burien and Burien Animal Care and Control. **Motion** passed 6-1. Opposed, Councilmember Krakowiak.

**Motion to Adopt Proposed Ordinance 541, Amending BMC Title 15, Buildings and Construction.**

**Direction/Action**

**Motion** was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, to Adopt Ordinance No. 541, Amending BMC Title 15, Buildings and Construction. **Motion** passed 6-1. Opposed, Councilmember Shaw.

**RECESS**

Mayor McGilton called a recess at 6:49 p.m. for the purpose of preparing the Chambers for a forum on the Shoreline Master Program.

**RECONVENE MEETING**

The Council meeting was reconvened at 7:00 p.m.

**PUBLIC FORUM**

**Shoreline Master Program**

Mike Martin, City Manager, welcomed the public to the Shoreline Master Program (SMP) Public Forum on Shoreline Issues.

Councilmember Block left the meeting at 7:30 p.m.

Scott Greenberg, Community Development Director, reviewed the schedule for upcoming discussions, public hearing and adoption of the Shoreline Master Program. He introduced the panelists: Bob Fritzen, Shoreline Planner, Washington State Department of Ecology; David Johanson, Senior Planner, city of Burien; Gordon Buchan, President and Chief Operating Officer, GVA Kidder Mathews; and, Derek House, Vice-President and Manager, Wells Fargo Insurance Services. The facilitator, Robin McClelland, was then introduced.

Ms. McClellan reviewed the ground rules and procedures for the forum.

Mr. Fritzen spoke to the State's Shoreline Management Act, the precautionary principle in the guidelines when writing a program, property rights, buffers, shoreline vegetation conservation, non-conforming use and development, bulkheads, and public access.

Mr. Johanson summarized the riparian and vegetation conservation buffers and dimensional standards, non-conformance, public access, vegetation management, and bulkheads sections in the draft Shoreline Master Program update.

Ms. McClellan facilitated questions and/or comments from Councilmembers.

Mr. Buchan spoke to non-conforming structures from a real estate value standpoint noting that such a classification would have a negative impact on property values.

Mr. House spoke to the types of insurance agents, underwriting criteria and availability of coverage, claim scenarios, and the Homeowners Policy Insuring Agreement including limitations and additional provisions.

Ms. McClelland facilitated questions and/or comments from Councilmembers followed by questions and/or comments from the audience.

#### **ADJOURNMENT**

##### **Direction/Action**

**MOTION** was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak and passed unanimously to adjourn the meeting at 9:55 p.m.

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Joan McGilton, Mayor

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Monica Lusk, City Clerk