

**Snohomish City Council Meeting Minutes  
March 17, 2020**

1. **CALL TO ORDER:** Mayor Kartak called the Snohomish City Council regular meeting to order at 6:00 p.m., Tuesday, March 17, 2020, in the Snohomish School District Resource Service Center, George Gilbertson Boardroom, 1601 Avenue D, Snohomish, Washington.

**COUNCILMEMBERS/MAYOR PRESENT**

Larry Countryman  
Steve Dana  
Judith Kuleta  
Tom Merrill  
Donna Ray  
Linda Redmon  
Jason Sanders  
John T. Kartak, Mayor

**STAFF PRESENT**

Debbie Burton, Finance Director  
Emily Guildner, City Attorney's Office  
Yoshihiro Monzaki, City Engineer  
Glen Pickus, Planning Director  
Keith Rogers, Police Chief  
Steve Schuller, City Administrator and  
Utility General Manager  
Andrew Sics, Senior Utilities Engineer  
Brandi Whitson, Administrative Assistant

2. **APPROVE AGENDA** contents and order

The Mayor called for a motion to amend the standard order of business to remove Citizen Comments, Other Business/Information Items, Councilmember Comments/Liaison Reports, City Administrator's Comments, and Mayor's Comments from tonight's meeting agenda.

**MOTION** by Redmon, second by Countryman to amend the standard order of business and accept the agenda as revised. The motion passed unanimously (7-0).

3. **APPROVE MINUTES** of the March 3, 2020 workshop and regular meeting.

**MOTION** by Sanders, second by Merrill to approve the minutes of the March 3, 2020 workshop and regular meeting. The motion passed unanimously (7-0).

4. **CITIZEN COMMENTS** on items not on the Agenda (*Item removed from agenda at beginning of meeting*)

5. **ACTION ITEMS:**

- a. **CONFIRM** Mayor's Appointments to the Ad Hoc Midtown Planning District Task Force

Planning Director Glen Pickus provided a brief introduction of the Task Force, and Mayor Kartak explained the process he used in making his selections. He enlisted the assistance of City staff and Council President Sanders, and utilized a column method to score applicants. He hoped to choose a diverse group of experienced and fresh voices, as well as a variety of strengths appointees could bring to the group.

Council President Sanders voiced his appreciation for the method used and the input provided by staff and the Mayor. Councilmember Merrill concurred, indicating he was able to answer several questions from constituents about the process.

Citizen Comments:

**Morgan Davis**, via email, requested Council delay the appointments until after the COVID-19 crisis is over.

**Sam King, 327 Lincoln**, expressed his interest for consideration.

Citizen Comments: Closed.

Councilmember Kuleta questioned what would happen if any of the applicants had to decline their appointment due to an inability to meet attendance requirements, in light of changes to the meeting schedule. Mayor Kartak answered he had a list of four alternates to consider should that happen. Mr. Pickus advised if that were the case, the selected alternate(s) would need to be confirmed by the Council at a future meeting.

**MOTION** by Sanders, second by Countryman to CONFIRM the Mayor's appointments to the Ad Hoc Midtown Planning District Task Force. The motion passed unanimously (7-0).

b. **DECLARATION** of Emergency - **PASS** Resolution 1408

Mr. Schuller provided background on the Resolution, indicating the Mayor had signed a Proclamation of Emergency on March 16, 2020, in light of the coronavirus (COVID-19) pandemic and ensuing action by Governor Inslee and Snohomish County. He explained the Resolution would allow the City to enact emergency procurement as well as allow for remote attendance at meetings, both consistent with State law and the Open Public Meetings Act (OPMA).

Councilmember Kuleta queried if anything would change if the Governor made other proclamations or directed additional action. Mr. Schuller responded those actions would not impact the capabilities allowed by the Resolution. He explained City staff will keep the Council up-to-date on any changes or any purchases that become necessary.

Councilmember Dana inquired if elected officials were held to a different standard in regards to quarantines. Ms. Guildner replied they were not, and the resolution allows the Council to conduct meetings remotely; however, City officials may be called on to perform specific duties as prescribed by emergency procedures. Mr. Schuller commented the Discussion Item next on the agenda will address remote meeting procedures.

Councilmember Ray questioned what type of access was provided in the event of an emergency, such as if electricity was not available. Ms. Burton and Mr. Schuller advised the City has a Comprehensive Emergency Management Plan (CEMP) in conjunction with Snohomish County, and Emergency Operations Center (EOC) protocol in place with the Fire District.

Councilmember Redmon mentioned some jurisdictions allow a single member to act on behalf of the entire body, and wondered if that was a consideration for the City. Ms. Guildner advised she will research and respond back to Council. Ms. Burton remarked much of the action needed in an emergency related to procurement, which the Resolution accommodates, meaning Council would not have to meet to approve those purchases.

Councilmember Dana asked if agendas for remotely-attended meetings should be kept at a minimum, similar to how tonight's meeting was amended. Ms. Guildner advised agenda format was not a factor for the Resolution under consideration, but could be reviewed during the Discussion Item.

Citizen Comments:

**Sam King, 327 Lincoln**, introduced himself and described an online forum he

developed to help unite the community through information and resource sharing.

Citizen Comments: Closed.

**MOTION** by Merrill, second by Ray to PASS Resolution 1408, allowing emergency procurement and remote meeting procedures in efforts to reduce the risk of exposure and spread of the coronavirus (COVID-19). The motion passed unanimously (7-0).

6. **DISCUSSION ITEM**: Remote Meeting Attendance - Procedures for the Conduct of Business at Council Meetings

Ms. Burton provided a draft revision to the Council's rules regarding remote attendance at meetings. She explained actions that must be taken to meet State and OPMA laws, as well as requests staff has made in order to facilitate remote meeting set-up:

- A physical location must be provided for citizens, even if all Councilmembers attend remotely.
- Remote Councilmembers are still considered present at the meeting for full participation.
- Councilmembers must be able to hear the meeting, as well as be heard by other attendees.
- Remote Councilmembers cannot participate if the equipment malfunctions.
- Councilmembers are allowed three (3) remote attendances per calendar year, which could be waived by Council President approval.
- Staff requests 48 hour notice if possible, to allow time to set-up and test the necessary equipment.

Ms. Burton explained staff selected Zoom as the method to use for remote meetings, and will run multiple tests to ensure proper operation prior to implementation. She requested Council direction and feedback.

Councilmember Dana clarified that the discussion is essentially two separate issues: conducting City business during an emergency, and general meeting procedures. Ms. Burton confirmed that was the case and this discussion item refers to procedures in general. Ms. Guildner remarked emergency resolutions provide for suspended rules outside of regular procedures, but regular procedures can augment emergency alternatives.

Councilmember Dana commented favorably on a recent Zoom meeting participation.

Councilmember Merrill inquired if some form of visual content was required, and if not, how would a remote participant's identity be verified. Ms. Burton advised video was not required, and she can develop a validation protocol.

Councilmember Merrill mentioned his positive experiences with remote meetings, and suggested technological improvements be made at the Carnegie Building to accommodate the process.

Citizen Comments: None

Citizen Comments: Closed

Council President Sanders inquired if the 48-hour notice was a requirement or a request. Ms. Burton answered it was a request, and cautioned that staff could not guarantee access with less notice.

Council concurred staff proceed with drafting procedures for action at a future meeting.

7. **CONSENT ITEMS:**

- a. **CONFIRM** Mayor's Reappointment to the Planning Commission
- b. **AUTHORIZE** payment of claim warrants # 72519 through # 72589 in the amount of \$412,174.36 issued since the last regular meeting.

**MOTION** by Countryman, second by Sanders to pass the Consent Items. The motion passed unanimously (7-0).

8. **OTHER BUSINESS/INFORMATION ITEMS** (*Item removed from agenda at beginning of meeting*)

9. **COUNCILMEMBER COMMENTS/LIAISON REPORTS** (*Item removed from agenda at beginning of meeting*)

10. **COUNCIL PRESIDENT'S ITEMS/REPORTS:**

**MOTION** by Sanders, second by Merrill to cancel the workshop and regular meetings scheduled for April 7, 2020. The motion passed unanimously (7-0).

11. **CITY ADMINISTRATOR'S COMMENTS** (*Item removed from agenda at beginning of meeting*)

12. **MAYOR COMMENTS** (*Item removed from agenda at beginning of meeting*)

13. **RECESS** to **EXECUTIVE SESSION** at 6:47 p.m. to discuss potential litigation, pursuant to RCW 42.30.110(1)(i), for ten (10) minutes, with possible action to follow.

Mr. Schuller **EXTENDED** the Executive Session at 6:57 p.m. for an additional three (3) minutes.

14. **RECONVENE** at 7:00 p.m.

**MOTION** by Sanders, second by Countryman to **AUTHORIZE** the Mayor to execute the settlement agreement with Thomco Construction Inc., to **AUTHORIZE** additional expenditure in the sum of \$9,101.16 to close out the project and **APPROVE** final acceptance of the CSO Reduction Project Phase 2A subject to receipt of all project documentation required by the contract and state law. The motion passed unanimously (7-0).

14. **ADJOURNMENT:**

**MOTION** by Sanders, second by Merrill, to **ADJOURN** the regular City Council Meeting at 7:03 p.m. The motion passed unanimously (7-0).

APPROVED this 21st day of April, 2020.

CITY OF SNOHOMISH

ATTEST:

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John T. Kartak, Mayor

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Brandi Whitson, Administrative Assistant