

Snohomish City Council Minutes
May 16, 2023

1. **CALL TO ORDER:** Mayor Redmon called the Snohomish City Council Meeting to order at 6:00 p.m., Tuesday, May 16, 2023. The meeting was held in hybrid format with in-person attendance at the Snohomish Carnegie, 105 Cedar Avenue, Snohomish, and remote online access via Zoom.

- a. Roll Call

Present: Councilmembers Lea Anne Burke (*remote, arr. 6:04 p.m.*), David Flynn, Karen Guzak, Judith Kuleta, Felix Neals, and Donna Ray; Mayor Linda Redmon

Absent: Council President Tom Merrill

MOTION by Neals, second by Kuleta to excuse Council President Merrill. Motion passed (5-0).

- b. Pledge of Allegiance

2. **PROCLAMATIONS, PRESENTATIONS AND RECOGNITIONS:** Proclamation Recognizing National Public Works Week

Mayor Redmon read the proclamation designating May 21-27, 2023 as National Public Works Week.

3. **PUBLIC COMMENT**

Bonny Headley, in writing, urged retention of the remaining trees on First Street.

Ed Engel, Snohomish County Transportation Coalition (Snotrac), commented on ADA Transition Plans.

Maureen Loomis thanked Council for considering traffic options on Terrace Avenue and 16th Street.

Melody Clemans, Snohomish Carnegie Foundation, commented on the Veterans Memorial obelisk, and suggested preservation of the log and shelter on the Carnegie grounds.

Gabriel Jacobs and Scout Troop 288 attended as part of their Communications Badge requirements.

Morgan Davis supported preserving the log, and commented on park signage.

4. **APPROVE AGENDA** contents and order

MOTION by Guzak, second by Neals to approve the agenda as presented. Motion passed unanimously (6-0).

5. **CONSENT ITEMS**

- a. APPROVE minutes of the May 2, 2023 regular meeting.
 - b. AUTHORIZE payment of claim warrants #78782 through 78870 in the amount of \$1,241,415.30, issued since the last regular meeting.

MOTION by Guzak, second by Kuleta to PASS the Consent Items. Motion passed unanimously (6-0).

6. ACTION ITEMS

- a. RECOGNIZE Outgoing Youth Council Members and APPROVE Mayor's Appointment to Youth Council for 2023-2024

Mayor Redmon commented on the group and the challenges faced this year, and topics of interest. She read a proclamation of recognition that was provided to each member that participated on the Youth Council during the 2022-2023 school year.

Councilmember Kuleta remarked on her interaction with the Youth Council, highlighting the students' enthusiasm and intelligence, stating it was a privilege to work with them.

Mayor Redmon read the names of those appointed to serve for the 2023-2024 school year.

Public Comment: None

Public Comment Closed.

MOTION by Kuleta, second by Neals to CONFIRM the 2023-2024 Youth Council Members as recommended by the current Youth Council and as appointed by the Mayor. Motion passed unanimously (6-0).

- b. AMEND SMC 14.295.100 for Street System Improvements - ADOPT Ordinance 2466.

Planning Director Brooke Eidem provided background of the ordinance to improve and clarify SMC 14.295.100 Level of Service Requirements and Concurrency Determinations. The intent was to establish relationships and requirements with other sections of the chapter to address improvements of inadequate street conditions based on development. Other out-of-date language would be updated or removed. The Planning Commission recommended the changes, voting unanimously after they held a public hearing on the proposed ordinance on May 3, 2023.

Council asked questions, which Director Eidem and Public Works Director Nova Heaton answered:

- The changes ensure development pays for a proportionate share of the improvements, including off-site and not just individual frontage.
- Requirements are not retroactive, and would mitigate improvements of future development, rather than cause denial of a permit.
- Permits may be denied if a developer cannot meet the concurrency requirements related to infrastructure improvements.
- This was an accepted practice; other cities utilized similar requirements, which are expected by the development community.
- The ordinance expands requirements to include corridors and not just arterials and intersections.
- The City will update traffic levels of service (LOS) to include more non-motorized methods of travel.
- Regulations could change over time; this was the first step to address deficient roads.

Public Comment:

Morgan Davis supported the ordinance.

Public Comment Closed.

MOTION by Neals second by Kuleta to ADOPT Ordinance 2466 to amend SMC 14.295.100, Level-of-Service Requirements and Concurrency Determinations as recommended by the Planning Commission. Motion passed unanimously (6-0).

c. AMEND SMC Ch. 14.65 Site Development Plans - ADOPT Ordinance 2467

Director Eidem provided background on Chapter 14.65 SMC, Site Development Plans, and the proposed amendments as recommended by the Planning Commission. Proposals included changes to streamline, simplify, and improve the permitting process for minor development types.

Councilmember Neals inquired what staff anticipated seeing with these changes in place. Director Eidem replied the permitting process should be easier and less costly for developers of middle housing types, as well as small business owners who, for example, were looking to do minor additions or improvements.

Councilmember Kuleta clarified the proposed changes would streamline the process. Director Eidem responded that was a fair assessment. Planning staff provided feedback, identifying areas in which the process could be improved or where additional plan review would be needed.

Councilmember Ray asked about unintended consequences. Director Eidem answered the proposed changes sought to correct a process that was too narrowly enacted, and could be revised again if needed.

Councilmember Burke inquired about impacts to other codes, such as a potential tree ordinance. Director Eidem explained tree preservation or a tree ordinance would have its own process to consider, even through a building permit.

Public Comment:

Morgan Davis felt the 120 sq. ft. exemption was arbitrary.

Public Comment Closed.

Councilmember Neals requested milestone reports be brought back to Council.

MOTION by Neals, second by Kuleta to adopt Ordinance 2467 to amend Chapter 14.65 SMC, Site Development Plans, to streamline, simplify, and improve the permitting process for minor development types as recommended by the Planning Commission.

Councilmember Guzak requested staff address the 120 sq. ft. threshold. Director Eidem explained the figure came from SMC 19.04.036(A), for consistency. She added tiny homes would be regulated under residential, and not commercial exemptions.

VOTE ON MOTION: Motion passed unanimously (6-0).

d. CONFIRM Mayor's Appointment of Finance Director

City Administrator Heather Thomas provided background of the selection process for a new Finance Director, and introduced Alisha Hendren, who was being recommended for appointment to the position.

Councilmember Neals questioned proposed salary and retention incentives. Administrator Thomas explained reviewing options in order to bridge the gap between the candidate's current salary and expected salary with the City. Other cities had some similar. Rather than a lump sum bonus, the retention incentive would be paid monthly and required performance to receive, and could more easily be managed if employment were to end.

Alisha Hendren provided brief comment, stating she was excited to start with the City.

Public Comment: None

Public Comment Closed.

MOTION by Flynn, second by Guzak to CONFIRM the Mayor's appointment of Alisha Hendren as the Finance Director and City Treasurer. Motion passed unanimously (6-0).

e. AUTHORIZE Mayor to Execute a Contract for Averill Field Playground Equipment

Project Manager Brennan Collins provided a brief background of GameTime equipment, represented by Great Western, with options as selected based on input from staff, the Snohomish Kiwanis and Boys & Girls Club. The options would be more maintenance-friendly, and provided more ADA inclusivity access.

Council asked questions, to which staff responded:

- Multiple discussions were held with Kiwanis on ways to best utilize their generous donation.
- Selected playground equipment included pieces specifically recognized by the Kiwanis.
- Options as presented were fully-funded. Additional decision would need separate action, including funding decisions based on those decisions and actual costs.
- Anticipated longevity of the equipment and surfaces, with associated warranties, would depend on actual use.
- A poured-in-place surface would be easier to maintain, could be repaired in small sections as needed, and provided full ADA access.
- Each phase would be completed stand-alone, although sewer lines for the future restroom would be installed under the sidewalk during early phases.
- A full facility assessment would help staff monitor actual cost-of-ownership.

Public Comment:

Morgan Davis commented on the lack of the parks west of Avenue D.

Public Comment Closed.

MOTION by Guzak, second by Ray to authorize the Mayor to execute the OMNIA contract with Great Western Recreation, in an amount not to exceed \$700,698.93, which includes a 10% contingency, for the purchase and installation of the Averill Field playground equipment.

Councilmember Burke generally supported the project, but cautioned to followed City processes for property assets and naming. She agreed with utilizing park impact fees to ensure equitable access to parks in the northwest sector of the City. Councilmember Guzak mentioned Homestead Park on Ludwig Road. Administrator Thomas shared potential grant opportunities that could be pursued for Homestead Park once the PROS Plan was updated. She also remarked that park impact fees expired if not used.

VOTE ON MOTION: Motion passed unanimously (6-0).

At 7:21 p.m., Mayor Redmon called for a five-minute **RECESS**.

7. DISCUSSION ITEMS

a. 22nd Street and Terrace Avenue Connector Road

Project Engineer Cory Morton provided details on the proposed 22nd Street and Terrace Avenue Connector Road project. The project consisted of a two-lane road with sidewalks and infrastructure to help accommodate growth in the northeast area of the City. Staff will provided additional details as design progressed. A survey and critical areas report would be conducted this summer, with design and permitting extending over the following year. Construction was anticipated to begin in 2026, depending on future budget and any critical areas that may be found during studies. City Administrator Thomas remarked that future developers would be required to contribute a proportionate share to cover costs of the project, with the passage of Ordinance 2466.

Council asked questions which were difficult for staff to answer, as the project was in the early conceptual stage. More concrete details could be addressed as the studies and design developed.

b. Americans with Disabilities Act (ADA) Transition Plan for the Public Right-of-Way

Project Engineer Morton provided an update on the federally-mandated ADA Transition Plan, and presented findings from the draft report received from Transpo Group. The goal was to inventory existing conditions, review City standards and policies, public involvement and outreach, estimate project costs, and develop a schedule to remove barriers and achieve compliance. A survey was presented to the community from July to October last year, asking for preferred methods of travel and perceived barriers. Staff was continuing to review the data and would post results soon.

The cost to fix all identified issued was estimated at close to \$37 million and could take decades to achieve. Current annual funding dedicated to sidewalks and crosswalks was \$60,000. Other funding options were discussed.

Council and staff discussed the results of the study and information presented:

- Staff would use the information to prioritize work; equitable distribution was encouraged.

- Sidewalks could be improved as part of overlay, infrastructure, and development projects.
- Potential funding available from the state and federal governments; partnering with other cities in a similar situation to lobby for funding assistance.
- The maps and information shared tonight would be made available to the public through multiple ways soon (for example, on the City's website and the via the City's booth at the Farmers Market).

8. OTHER BUSINESS/INFORMATION ITEMS

Councilmember Kuleta referred to the public comment on First Street trees. Administrator Thomas remarked an arborist had been consulted on the trees' status and they were deemed to be poor shape and should be removed. Staff had no immediate plans to remove the one near the store Worthy (at First Street and Avenue C); however, storms and weather could change that.

9. COUNCILMEMBER COMMENTS/LIAISON REPORTS

Councilmember Guzak reported on staff's recent urban tree canopy presentation to Green Snohomish, and their recent activities in the area. The Spring Tree Tour was held on Mother's Day, and the State passed legislation in special session to address the Blake issue.

Councilmember Flynn attended disaster preparedness training, shared the Chamber director was in Washington D.C. with Economic Alliance, and complemented HDSA, Lions, and the Kiwanis for their efforts in the community.

Councilmember Neals thanked community members for cleaning graffiti, remarked on Memorial Day dedication, mentioned May was Mental Health Awareness Month, and felt Council should be judicious in deciding when to act on removing trees to prevent impact.

Councilmember Kuleta met with staff about August's Art Walk Showcase and was contacting area high schools for student contributions to the youth art show.

Councilmember Ray reported on the Public Safety Commission's activities regarding Neighborhood Watch and disaster preparedness programs.

10. COUNCIL PRESIDENT'S ITEMS/REPORTS None

11. STAFF BRIEFINGS

Director Eidem provided information in the agenda packet on staff's intent to update building valuation schedules by adopting rates consistent with the International Code Council's 2022 tables. There were no questions or discussion from Council.

12. CITY ADMINISTRATOR'S COMMENTS

Administrator Thomas shared a new interlocal agreement with Snohomish County Solid Waste was being reviewed by staff and legal counsel and will be presented to Council for action soon. One significant change was the County would no longer accept wastewater treatment plant screenings, for which staff was reviewing other options. Staff continued to

gather research related to park signage. The Governor signed SB5536, the Blake Decision Fix, and staff was reviewing the contents of the bills.

13. MAYOR'S COMMENTS

In regards to signage at Pilchuck Julia Landing, Mayor Redmon shared conversations were held with Tulalip Tribal members and descendants of Pilchuck Julia, who were going to research and develop the most representative facts to share. It was anticipated the thorough process could take quite some time.

14. RECESS TO EXECUTIVE SESSION to discuss potential legal risk of a proposed action or practice, pursuant to 42.30.110(i)(iii); and potential litigation, pursuant to RCW 42.30.110(1)(i)(ii), with possible action to follow.

At 8:06 p.m., Council recessed for five minutes, and withdrew to Executive Session to begin at 8:11 p.m., providing time to transition between meeting spaces. Session to last twenty minutes, until 8:31 p.m.

At 8:31 p.m., Administrator Thomas announced extension of the Executive Session for five minutes, to 8:36 p.m.

15. RECONVENE. Council reconvened at 8:36 p.m. Councilmember Guzak did not return to the meeting.

MOTION by Flynn, second by Neals to authorize the Mayor to sign the proposed agreement with Barbara and William Wiselan, to avoid the uncertainties of litigation. Motion passed unanimously (5-0).

16. ADJOURN. There being no objection, the meeting adjourned at 8:37 p.m.

APPROVED this 6th day of June, 2023.

CITY OF SNOHOMISH

ATTEST:

Linda Redmon, Mayor

Brandi Whitson, City Clerk