

**Snohomish City Council Meeting Minutes
September 1, 2020**

1. **CALL TO ORDER:** Mayor Kartak called the Snohomish City Council regular meeting to order at 6:00 p.m., Tuesday, September 1, 2020.

COUNCILMEMBERS/MAYOR PRESENT

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

STAFF PRESENT

Debbie Burton, Finance Director
Glen Pickus, Planning Director
Wendy Poischbeg, Economic Development and
Communications Manager
Captain Robert Palmer, Interim Police Chief
Steve Schuller, City Administrator and Utility
General Manager
Nikki Thompson, City Attorney's Office
Brandi Whitson, Administrative Assistant

NOTE: Due to the COVID-19 declared federal, state and local emergency, and pursuant to Governor Inslee's Proclamations 20-05 and 20-28, the Snohomish City Council held its meeting via remote participation.

2. **INTRODUCTORY REMARKS BY MAYOR JOHN T. KARTAK.** Mayor Kartak provided a statement regarding the necessity to conduct the remote meeting due to the COVID-19 pandemic.
3. **APPROVE AGENDA** contents and order.

MOTION by Redmon, second by Kuleta to amend the agenda by adding Assigning Council Liaisons to Agenda Item 7b., and the reading of a Proclamation to Agenda Item 5. Motion passed unanimously (6-0).

MOTION by Redmon, second by Kuleta to approve the agenda as amended. Motion passed unanimously (6-0).

4. **APPROVE MINUTES** of the August 18, 2020 regular meeting.

MOTION by Merrill, second by Redmon to approve the minutes of the August 18, 2020 regular meeting. Motion passed unanimously (6-0).

5. **PRESENTATION:**

- a. Mayor Kartak introduced Heather Thomas, Public & Government Affairs Manager with the Snohomish Health District, who provided an overview of the Health District's responsibilities and activities.
- b. **PROCLAMATION** (*added at beginning of meeting*): Mayor Kartak read a Proclamation expressing the City's appreciation for the Snohomish Health District's efforts during the COVID-19 pandemic.

6. **CITIZEN COMMENTS.** Mayor Kartak welcomed the citizens to the meeting and discussed the procedures for providing citizen comment.

Citizen Comments:

Jesse Podoll, in writing, commented on the Walsh Hills development, and lights for the baseball field at Pilchuck Park.

Marilene Richardson, in writing, thanked Wendy Poischbeg for the Quarterly Magazine.

Candace Jarrett, in writing, commented on symbols of hate and racism.

Bill Coady, commented on the proposed Walsh Hills development.

Karen Crowley, thanked Ms. Poischbeg for the Quarterly Magazine.

Jessica Newkirk, also thanked Ms. Poischbeg for the Quarterly Magazine.

Don Baldwin, commented against topics covered by the Quarterly Magazine.

Mark Miller, thanked City staff for their ongoing outreach efforts.

Russell Joe, Republic Services, provided an update on recycling and the City's upcoming *Recycle 101* presentation.

Morgan Davis, commented on the need for a neighborhood park west of Avenue D.

City Comments: Closed

In response to several comments received by Councilmembers and staff, Mayor Kartak requested Mr. Pickus provide an update on the proposed Walsh Hills development. Mr. Pickus advised that comments will be received up to a day before the public hearing before the Hearing Examiner, possibly in November. Staff is still reviewing the proposal and obtaining necessary information. He advised the City does not have authority to require the developer to fix historical street deficiencies; only to contribute a proportionate share of the impact the developer may create. The developer also has to pay impact fees, which for 113 detached single-family houses would include approximately \$468,950 in Park Impact Fees, \$682,407 for Schools Impact Fees, and \$126,637 in Traffic Impact Fees. Mr. Pickus reviewed the Hearing Examiner process, and explained neither the City Council nor the Planning Commission has a role in that process. If the preliminary plat is approved, the applicant would then submit permit applications for site development, utilities, and streets, for administrative review and approval by City staff. Regarding concerns about density, Mr. Pickus advised the property contains two zoning designations, which accommodated the previous use as a nursing home, as assigned when the property was annexed into the City in 1965. Property rights for the owner and potential buyer allows development at the current zoning, which would actually allow over 300 units.

Councilmember Dana commented that the previous landowner remarked the Supreme Court had granted him an R3 zoning designation which he claimed could not be changed by the City. Mr. Pickus responded that development would be based on the zoning in place now, regardless of whether it changes.

Mayor Kartak clarified that staff will continue to receive public comment up to the public hearing. Mr. Pickus explained comments can be emailed to City staff, and that a page was on the City's website to provide development updates.

7. **ACTION ITEMS:**

- a. **CONFIRM** Mayor's Appointments to the Youth Council for 2020/2021, and **RECOGNIZE** Outgoing Class of 2019/2020

Councilmember Redmon provided a summary of events and accomplishments by the Youth Council, and thanked each of the members for their ongoing efforts in the community.

Mayor Kartak read a Proclamation of appreciation for outgoing members, and provided his nominations for appointment to the 2020/20201 Youth Council:

Anna McPherson	Tenth Grade
Logan Nuttall	Eleventh Grade
Peyton Tennery	Eleventh Grade
Akaysha Williams	Eleventh Grade
Eryn Anderson	Twelfth Grade

Citizen Comments:

Karen Crowley commented on her appreciation of the City Council and the Youth Council.

Citizen Comments: Closed

MOTION by Redmon, second by Merrill that the City Council CONFIRM the 2020/2021 Youth Council Student Members as Recommended by the Youth Council and Advisors, and as Appointed by the Mayor. Motion passed unanimously (6-0).

b. **SELECT** City Council President

Councilmember Kuleta nominated Councilmember Redmon, who accepted the nomination. There were no other nominations.

Citizen Comments:

Terry Lippincott and **Morgan Davis** both endorsed Councilmember Redmon.

Citizen Comments: Closed

MOTION by Kuleta, second by Merrill to APPOINT Councilmember Redmon as City Council President, to serve through December 31, 2021. Motion passed unanimously (6-0).

(Added at beginning of meeting): Council President Redmon requested appointments to fill former Councilmember Sanders's role as liaison with the Youth Council and Community Leader Forum.

MOTION by Merrill, second by Kuleta to APPOINT Councilmember Kuleta as a Youth Council Liaison, and to APPOINT Councilmembers Redmon and Ray to the Community Leader Forum. Motion passed unanimously via voice vote (6-0).

c. **AMEND** Snohomish County Sheriff's Office Interlocal Agreement for Law Enforcement Services

Mr. Schuller provided background on the agreement, indicating the Amendment No. 3 was to revise the existing agreement to allow a Captain to be Police Chief.

Councilmember Ray questioned the elimination of Section 4.1.6.2, which would allow the County to remove the Police Chief, potentially without input from the City. Mr. Schuller explained the current agreement allows the County Sheriff to make final decisions after consulting with the City. He advised the City can negotiate different language during the

upcoming contract review.

Councilmember Merrill concurred with Councilmember Ray, and stated his concern that changes now could impact future changes. He also questioned the additional expense that a Captain's salary would incur over a Lieutenant's salary.

Mayor Kartak commented on the working relationship with the Sheriff's Office, and their willingness to work with the City. He believed the additional cost in salary would be in the best interest for the City to retain Captain Palmer.

The Council asked several questions concerning the potential of the agreement, possible appointments, and budget impacts.

Citizen Comments:

Mark Miller suggested in-depth discussions with potential Police Chief appointments.

Merritt Weese disapproved of the proposed language.

Jim Sorenson commented on budget increase concerns.

Karen Crowley commented on budget concerns and best use of resources.

Debbie Lippincott queried Captain Palmer's responsibilities at the County level.

Diane McDowell commented on the contract language.

Morgan Davis remarked on past police services and the proposed contract language.

John Lovick praised Captain Palmer's experience and leadership.

Citizen Comments: Closed

The Council continued to discuss the proposed changes, and questioned what would happen if no action was taken tonight. Sheriff Fortney, in attendance, confirmed with Mayor Kartak that Captain Palmer would remain Interim Police Chief.

At 8:58 p.m., **MOTION** by Ray, second by Kuleta to extend the meeting until 10:00 p.m. Motion passed unanimously via voice vote (6-0).

After further discussion, the Council determined that, while they agreed Captain Palmer would be well suited as Police Chief and wished to limit turnover in that position, they were hesitant to accept the language as proposed. Mayor Kartak suggested City staff work with the Sheriff's Office on a revised addendum, and therefore, table the issue until the next meeting.

MOTION by Redmon, second by Ray, to table the addendum until the next regular meeting on September 15, 2020. Motion passed unanimously (6-0).

8. **DISCUSSION ITEM:** Process for Filling City Council Position 3 Vacancy

Mr. Schuller provided background of the process used in the past, where applications would be accepted for 30 days, and Council could then review applications, narrow the list down as needed, and interview their final candidates. The appointed person would serve until the next election in November 2021.

The Council discussed the options, and felt 30 days was adequate, selecting six applicants would be acceptable (where each Councilmember could select an applicant to interview, if more than six applications were received), and would utilize Executive Sessions where appropriate.

Citizen Comments: None

Citizen Comments: Closed

9. **CONSENT ITEMS:**

- a. **AMEND** SMC 15.05.040 Voluntary Termination of Utility Services - **ADOPT** Ordinance 2396
- b. **CONFIRM** Mayor's Reappointments to the Design Review Board
- c. **AUTHORIZE** payment of claim warrants #73348 through #73431 in the amount of \$942,238.60, and payroll warrants #70125 through #73440 in the amount of \$457,643.21, issued since the last regular meeting.

MOTION by Countryman, second by Merrill to PASS the Consent Items. The motion passed unanimously via voice vote (6-0).

10. **OTHER BUSINESS/INFORMATION ITEMS:** None

11. **COUNCILMEMBER COMMENTS:**

Councilmember Ray requested an update on filling the Park and Recreation Board opening. Mr. Schuller answered he will inquire and advise.

Councilmember Kuleta commented that the Midtown Task Force members were all doing a great job and representing Snohomish well. She provided an update on her personal journey with anti-racism, referencing Pete Carroll's recent comments on diversity.

Councilmember Merrill concurred with Councilmember Kuleta's praise of the Midtown Task Force, and reported an opening on the Community Transit's Board of Directors.

12. **COUNCIL PRESIDENT'S ITEMS/REPORTS:** Council President Redmon wished to revisit Mr. Podoll's letter on the Pilchuck Park lights. Mr. Schuller advised the lights are not in the current budget, and issues may actually be related to the electrical system, in which case, replacing the lights may not fix the problem. Staff is investigating and will report back to Council.

Council President Redmon inquired about alternative temporary lighting, as the fields do generate revenue for the City and would be beneficial. She requested estimates for budget consideration.

13. **CITY ADMINISTRATOR'S COMMENTS:** Mr. Schuller mentioned the upcoming workshop on goal selection.

MOTION by Ray, second by Merrill, to hold a special meeting workshop to discuss goal selection on Tuesday, September 8, 2020 at 5 p.m. Motion passed unanimously via voice vote (6-0).

14. **MAYOR'S COMMENTS:** Mayor Kartak reported that the dam on the Pilchuck River has been completely removed, the peracetic acid disinfection system is in place for the wastewater treatment plant, utility improvements are underway along Emerson Avenue, and the Carnegie Building work is progressing.

15. **RECESS to EXECUTIVE SESSION** at 9:35 p.m. to discuss potential litigation, pursuant to RCW 42.30.110(1)(i) for 15 minutes with no action to follow.

Mr. Schuller extended the Executive Session an additional 10 minutes at 9:50 p.m.

16. **RECONVENE and ADJOURN**: The regular meeting reconvened at 9:58 p.m.

MOTION by Merrill, second by Ray to adjourn the meeting at 9:59 p.m. Motion passed unanimously (6-0).

APPROVED this 15th day of September, 2020.

CITY OF SNOHOMISH

ATTEST:

John T. Kartak, Mayor

Brandi Whitson, Administrative Assistant