

Snohomish City Council Meeting Minutes

April 3, 2018

1. **CALL TO ORDER:** Mayor Kartak called the Snohomish City Council Workshop to order at 6:00 p.m., Tuesday, April 3, 2018, in the Snohomish School District Resource Service Center, George Gilbertson Boardroom, 1601 Avenue D, Snohomish, Washington.

MAYOR/COUNCILMEMBERS PRESENT

Larry Countryman
Steve Dana
Karen Guzak
John Kartak, Mayor
Tom Merrill
Linda Redmon
Lynn Schilaty

STAFF PRESENT

Pat Adams, HR Manager/City Clerk
Debbie Burton, Finance Director
Mike Martin, Police Sergeant
Yoshihiro Monzaki, City Engineer
Glen Pickus, Planning Director
Steve Schuller, City Administrator
Grant Weed, City Attorney

MAYOR/COUNCILMEMBERS ABSENT

Jason Sanders

MOTION by Guzak, second by Redmon to excuse Councilmember Sanders. The motion passed unanimously (6-0)

2. **APPROVE AGENDA** contents and order:

MOTION by Guzak, second by Countryman to approve the agenda as presented. The motion passed unanimously (6-0).

3. **APPROVE MINUTES** of the March 20, 2018 workshop and regular meeting.

MOTION by Redmon, second by Countryman to approve the minutes of the workshop and regular meeting. The motion passed unanimously (6-0).

4. **CITIZEN COMMENTS** on items not on the Agenda

Mayor Kartak welcomed the citizens to the meeting and discussed the procedures for providing citizen comments.

Morgan Davis, 206 Avenue I, commented on the naming of the new boat launch. He supports naming it Julia's Park or Julia's Boat Launch Park after Pilchuck Julia.

Mike Coombs, 1808 Terrace Avenue, supports full disclosure of personal investment interests for City Council and City officials.

Citizen Comments: Closed

5. **PRESENTATION:** Washington State Department of Transportation (WSDOT) US2 Summer Paving Project

Mark Sawyer stated crews will repave three miles of the westbound lanes of US 2 from Bickford Avenue to the I-5 interchange, including the Hewitt Avenue trestle. The eastbound lanes will be resurfaced from the US 2/SR 204 interchange to Bickford Avenue.

Mr. Sawyer explained this stretch of highway hasn't been repaved since 2002. The asphalt used during that project was identified as having an average lifespan of about 15 years. Since then, cracks, ruts and potholes have developed. This creates an uneven surface

which allows water to pool on the roadway. Wet roads create difficult driving conditions and can also result in slower travel times as drivers reduce their speeds to handle the slick surface. Installing new pavement will also extend the life of the highway. In addition, there will be a bridge inspection, deck repair and joint repairs on the US2 westbound trestle. During closures of the westbound US 2 trestle, 20th Street Southeast will become the detour route for westbound traffic.

Councilmember Guzak questioned the start and end date for the project.

Mr. Sawyer responded the project begins in May and will continue through August 2018. This project will result in weekend closures of the trestle.

Councilmember Dana indicated the lifespan of the asphalt to be removed was 15 years. It appears the lifespan has been exceeded. He asked if WSDOT will use different asphalt for an improved future lifespan.

Mr. Sawyer stated they will be using "Superpave", which is a better product and will perform better under extreme temperatures and heavy traffic loads.

Councilmember Redmon inquired, given the increase in traffic on the trestle, what is the expected longevity of the pavement after the project is complete.

Mr. Sawyer replied he would expect 15 to 20 years. The absolute best would be 25 years.

Councilmember Merrill asked where the expected concrete work will be completed.

Mr. Sawyer replied the concrete work will extend the entire deck. WSDOT is trying to protect the deck from road salts.

Mr. Sawyer noted for any future questions or concerns regarding this project, to please contact Frances Fedoriska at 206-440-4690 or email her at Fedorif@wsdot.wa.gov.

Mayor Kartak thanked Mr. Sawyer for the presentation.

6. **PUBLIC HEARING** – Pilchuck District Development Regulations

Planning Director Glen Pickus stated the purpose of the public hearing is to consider Ordinance 2347 to amend the Pilchuck District development regulations to stimulate development activity in the area. In addition, a Pilchuck District multi-family property tax exemption program will be discussed.

The Pilchuck District subarea plan was adopted in 2011 in an attempt to provide a unified vision for the area around the Centennial Trail south of Sixth Street and north of Wood/Rainier Streets. The goal was to stimulate redevelopment and new development that would result in a cohesive and identifiable pedestrian-friendly neighborhood. However, very little development activity has taken place in the Pilchuck District since 2011.

The City Council directed the Planning Commission to investigate changes to the Pilchuck District's regulations to stimulate development and redevelopment activity in the District. This direction was the result of a few instances in 2017 when it appeared the regulations got in the way of new businesses locating in the District.

One instance was of a light manufacturing company that has outgrown its facilities in Snohomish. It was considering building a larger facility in the Pilchuck District, but because the regulations do not allow any industrial uses in the District, this was not possible. The company is still looking for a relocation site and would prefer to remain in Snohomish.

In two other instances, land that currently has a nonconforming use on it has become available for rent (in one instance) and for sale (in the other instance). Because of nonconformance regulations in both instances, potential buyers/renters could not move in because their proposed uses were also nonconforming and different from the existing nonconforming uses on the two sites.

The Pilchuck District development regulations is a hybrid form-based code (FBC). FBCs use physical form as the organizing principal for the code rather than the separation of incompatible uses as traditional zoning does. Particular attention is paid to how the building facades of the private development interacts with the public realm (streets, sidewalks, and other public open spaces) surrounding it.

While land use is subordinate to urban form under an FBC, some FBCs, including the Pilchuck District regulations, specify allowed land uses in more general terms than traditional zoning to provide further certainty that adjacent activities will be compatible.

In considering development regulation amendments to stimulate development activity in the Pilchuck District, the Planning Commission only looked at changes that would be consistent with existing Comprehensive Plan policies. Therefore, their recommended amendments are relatively minor in nature and do not change the vision and purpose behind the original creation of the Pilchuck District. Mr. Pickus reviewed the Planning Commission's recommended amendments, and believes the amendments are consistent with the vision for the Pilchuck District in that the impacts of the newly allowed uses and the continuation of some nonconforming uses are mitigated by the required criteria. In turn, the amendments open up the possibility of a few additional types of businesses opening in the Pilchuck District, which could help stimulate development activity in the District.

Mr. Pickus explained the multi-family property tax exemption, and noted the City of Everett program has resulted in the construction of 1,320 units with an additional 390 pending. Four of the projects have been in place long enough that they now no longer receive the exemption. Of the 1,320 units, 133 are restricted to low and moderate income households. Everett requires at least 10% of the units be restricted to low income households, with the remaining of the 20% affordable units restricted to low and moderate income households. Their program sunsets at the end of this year. However, the Everett Planning and Community Development Director expects it to be extended with a few modifications related to the affordability requirements. He also said all of the project developers would not, or could not, have built their projects without the exemption.

The Bellingham Development Services Manager stated their program has been successful and the city has added additional targeted areas since the program was first started. To date, 814 units have been built, 36 units are under construction, 5 units have been approved but are not under construction yet, and another 56 units have applied for the exemption. Since the first units were completed in 2002, 691 units have gone through the process and used up all of the exemption years, so are now fully on the tax rolls.

While the Planning Commission is interested in this program, there was trepidation about potential negative fiscal impacts on City finances. At the Planning Commission public hearing, staff did not have any information about fiscal impacts to present. Therefore, their recommendation to the City Council is not necessarily to implement the program, but to investigate it further, especially regarding the fiscal impacts. If Council follows the Commission's recommendation, staff will conduct some research, and return to Council with the fiscal impact information and a draft ordinance. This will not go back to the Planning Commission because the new regulations to implement the program would be located in Snohomish Municipal Code Title 3, Finance, which is not under the purview of the Commission.

Councilmember Guzak clarified that the Planning Commission has reviewed this issue on three different occasions.

Mr. Pickus confirmed it was presented in January, code language was developed in February and a public hearing was held by the Planning Commission in March. Additionally, it was presented to the Economic Development Committee, which supported the recommendations.

Councilmember Countryman inquired whether Tom Walker, owner of one of the properties, will have his issue resolved as a result of the proposed amendments.

Mr. Pickus confirmed the nonconforming use addresses the problem – not for Mr. Walker specifically, but in general.

Councilmember Redmon thanked Mr. Pickus for his work on this matter. She asked about a manufacturer interested in taking over the 4 x 4 site. The current nonconforming use has open storage. Would open storage continue to be allowed under the proposed code amendments.

Councilmember Redmon further inquired for a vehicle repair shop, are vehicles parked outside the business considered outside storage, or is that a separate category?

Mr. Pickus stated he would consider vehicles parked outside the business as outside storage.

Councilmember Merrill asked how much development has occurred within the Pilchuck District in relation to how much the City had hoped to achieve.

Mr. Pickus replied there has been no new development.

Citizen Comments:

Morgan Davis, 206 Avenue I, opposed the multi-family property tax exemption in the Pilchuck District. He believes it is unfair competition to the people who built without the exemption. He supports a citywide exemption.

Merritt Wease, 1416 Park, supported the multi-family property tax exemption in the Pilchuck District and Ordinance 2347, but also supports exemptions in other areas of the City.

Citizen Comments: Closed

Councilmember Schilaty thanked the Planning Commission and Mr. Pickus. There has been a lot of time and effort put into developing the Pilchuck District. It is a vision in keeping with what the region needs to do to support the influx of people coming into the area. Unfortunately, the work was completed just prior to the recession, which is why there is no measurable development. Concerning the multi-family property tax exemption, it is her recollection, based on the RCW, that the exemption is restricted to certain zones. She believes it is timely to revisit this issue now, and she supports directing staff to move forward. The Pilchuck District is a jewel for the City and there is extensive potential there.

Mr. Pickus replied the tax exemption applies to targeted areas. Therefore, you could not have it apply Citywide. However, based on the RCW language, he believes other areas of the City could also qualify in addition to the Pilchuck District.

Councilmember Guzak requested clarification on the automotive repair businesses and open storage. What is the vision for this particular use?

Mr. Pickus responded previously it was only allowed as a provisional use in the center zone. The Planning Commission recognized it currently existed. It was created as a type of Form-Based Code. The assumption is there is no concern for what the use is, and attention is paid to what the buildings look like and how they interact with the street. If there is an auto repair shop in a fully enclosed building, why wouldn't it be allowed? It also fits with adding the Light Manufacturing as a provisional use in the center zone.

Councilmember Guzak clarified if a new structure were built, design and street standards would apply. She supports the amendments to the Ordinance and the Planning Commission's review. She served on the Council during the two years of public process and acknowledged awards were received for the Pilchuck District's planning work. Councilmember Guzak is proud of the work they accomplished.

MOTION by Guzak, second by Dana, that the City Council approve Ordinance 2347, amending Snohomish Municipal Code Chapter 14.212 in order to stimulate and facilitate development activity within the Pilchuck District; and DIRECT staff to investigate the fiscal impacts of adopting the multi-family property tax exemption program as provided for by RCW 84.14 with the Pilchuck District designated as a targeted area and return to the City Council for further action.

Councilmember Redmon directed staff, with the concurrence of the City Council, to also review if there are additional residential targeted areas where the multi-family tax exemption may apply. The exemption might stimulate multi-family dwellings in other areas of the City.

VOTE ON THE MOTION: The motion passed unanimously (6-0).

7. ACTION ITEMS:

- a. **AMEND** Snohomish Municipal Code Chapter 2.12 Parks and Recreation Board – **ADOPT** Ordinance 2334

Public Works Services Manager Mike Johnson stated the purpose of this action item is to approve Ordinance 2334, amending Snohomish Municipal Code (SMC) 2.12. He stated during the past several months, the Parks and Recreation Board have been studying and deliberating changes to the Snohomish Municipal Code related to the Parks and Recreation Board and the parks system in general. After the recommended changes were made, the proposed changes were brought to the City Attorney's Office for review and approval.

Title 2 of the Snohomish Municipal Code contain the "Administration and Personnel" section. The proposed amendments to SMC 2.12, "Parks and Recreation Board", are minor in nature and include the following:

- The Board name "Parks and Recreation Board" is changed to "Park and Recreation Board";
- Change the reference to "Support Services Director to "Mayor or his/her designee", throughout the code; and
- Delete section 2.16.010(b) referring to the Hal Moe Pool Advisory Committee.

Councilmember Dana asked if the City had a recreation department staffed by City employees.

Mr. Johnson replied there is a minimal City recreation function with no dedicated staff.

Staff reserves parks for baseball games and also reserves City shelters.

Citizen Comments: None
Citizen Comments: Closed

MOTION by Redmon, second by Merrill that the City Council **ADOPT** Ordinance 2334. The motion passed unanimously (6-0).

b. **AMEND** Snohomish Municipal Code, Title 13 Park Code – **ADOPT** Ordinance 2335

The purpose of this agenda item is to update Snohomish Municipal Code (SMC) 13.04, Park Code, and approve Ordinance 2335.

During the past several months, the Parks and Recreation Board have been studying and deliberating changes to the Snohomish Municipal Code relating to the Parks and Recreation Board and the parks system in general. After the recommended changes were made, the proposed changes were brought to the City Attorney's Office for review and approval.

The proposed revisions to SMC 13.04 include the following:

- Change the reference to "Parks Director", a position that does not exist within the current organization, to "Mayor or his/her designee", throughout the code;
- Re-word some of the language to be more direct and relevant to current conditions;
- Update where animals are allowed in City parks;
- Addition of an off leash dog area code (13.04.065). A specific area is not proposed to be opened at this time, but this new code section would be needed to regulate any future off leash area; and
- Addition of a Radio Remote Controlled and Self Propelled Devices code (13.04.070), as this is becoming a growing safety issue throughout the parks industry.

Councilmember Dana asked if service animals are exempt under the Parks Code.

Mr. Johnson replied service animals are exempt.

Citizen Comments:

Morgan Davis, 206 Avenue I, commented on the City's previous practice of allowing citizens to walk their dogs around the sewer lagoon. He would like to see the practice reinstated.

Citizen Comments: Closed

MOTION by Merrill, second by Guzak that the City Council **ADOPT** Ordinance 2335. The motion passed unanimously (6-0).

8. **CONSENT ITEMS:**

- a. **AUTHORIZE** payment of claim warrants #62403 through #62470 in the amount of \$414,267.09, and payroll checks #15485 through #15497 in the amount of \$414,978.53 issued since the last regular meeting.
- b. **APPROVE** Sale of Surplus Property (K-9) – **PASS** Resolution 1375
- c. **AUTHORIZE** Mayor to Sign Construction Contract for CSO Reduction Project Phase 2A

- d. **AUTHORIZE** Mayor to Sign 2018 Farmers Market Contract
- e. **CONFIRM** Mayor's Appointment and Reappointments to the Economic Development Committee

MOTION by Guzak, second by Countryman to pass the Consent Items. The motion passed unanimously (6-0).

9. **OTHER BUSINESS/INFORMATION ITEMS:**

Councilmember Guzak commented on Mike Coombs' comment regarding Councilmember disclosure on personal investments. She noted this information is provided to the Public Disclosure Commission (PDC) annually. The financial accounting is provided on Form F-1, Personal Financial Affairs Statement and is filed with the PDC.

10. **COUNCILMEMBER COMMENTS/LIAISON REPORTS:**

Councilmember Schilaty stated the Economic Development ~~Commission~~ Committee did not meet in March. She will be attending interviews for the City's Economic Development and Communications Manager on April 10.

Councilmember Guzak stated Peter Messinger of Drop Your Guns has been working with the McDaniel's Do-It Center to remove six AR-15s from their inventory and give them to the Police Department. It's not yet complete, but it is an effort she applauds. She has asked Mr. Messinger to provide the City Council with a presentation in the future. As Council liaison to Snohomish County Tomorrow, the group has been dealing with the concept that was presented by a developer to swap UGA areas. The Steering Committee found this to be a bad idea, and when those decisions are made, it should happen in the ordinary time when the Countywide planning policies are being reviewed. The next review will be in 2023.

Councilmember Merrill attended the Snohomish Community Coordination Committee meeting. He used that forum, which is represented by fourteen organizations to promote the May 22 Town Hall Meeting to be conducted by the Public Safety Commission on Homelessness, Opioids and Addiction at the Fire District, Harvey Auditorium at 6:00 p.m. He invited the Committee members to attend and present their ideas. On March 21, he toured the new Housing Hope Twin Lakes Landing facility. The tour was coordinated by Councilmember Redmon. He is impressed by the work Housing Hope does, specifically, their learning process. Each time they build a new facility, they learn from the previous project and incorporate those lessons into the next facility. Twin Lakes is built around creating community. Councilmember Merrill completed a Ride-Along with the Police Department. He rode with Deputy Perillo. It was very educational to view the City from a patrol car and be a witness to the calls. The League of Women Voters saw an article in the Herald about the Snohomish Building Bridges Social Club and contacted the Club to invite them to one of their events on April 29 at the Everett Library entitled, "Civil Discourse – A Community Conversation."

Councilmember Redmon stated on March 21, she and Councilmember Merrill visited the Housing Hope Twin Lakes Landing in Marysville. This is an affordable housing development. They received a tour of the social services offered at the facility. In those programs, they help residents learn basic skills to be successful in the world. Their program has been very successful. On March 21, she met briefly with the neighbors on Weaver Way affected by the nuisance property. The Police Department will be assisting this neighborhood to organize and deal with these problems. On March 26, she met with Mayor Kartak, City Administrator Schuller and City Engineer Monzaki, as well as representatives from Fred Meyer to address the noise issue. This is an ongoing conversation, but the representatives expressed a real desire to work with the City to resolve the issue. On March

28, she attended an MRSC webinar on Strategic Long Range Budgeting for Cities. This is timely as the City moves to a two-year budgeting cycle. On March 28, there was a Park and Recreation Board meeting where the Board discussed ongoing and upcoming projects and how to best share this information with the City Council. Hopefully, there will be a joint workshop to present the Board's plans to the Council. She enjoyed participating in Emerson Elementary School's Tiger Theatre Club's production of Peter Pan Jr. and the Easter Parade. She wished to remind the community that Household Cleanup Day is Saturday, April 7 from 8:00 a.m. to 2:00 p.m. at the City Shop, 1801 First Street and is free of charge. Next week, she and Councilmember Sanders will be meeting with the students in the senior government classes at Snohomish High School to discuss taxes and budgeting.

Councilmember Countryman stated on a future Council agenda, he would like the Council to discuss raising the salary of Mayor Kartak. Mayor Kartak is a full-time Mayor and should be compensated appropriately.

11. **COUNCIL PRESIDENT'S ITEMS/REPORTS:** None

12. **CITY ADMINISTRATOR'S COMMENTS:**

Mr. Schuller stated interviews for the Economic Development and Communications Manager will be held next week. The Household Cleanup Event will be held on Saturday, April 7 from 8:00 a.m. to 2:00 p.m. The Annual Spring City Cleanup Event will be held on Saturday, April 21 from 9:00 a.m. to noon. Last year, there were over 400 volunteers participating in Spring City Cleanup event. The Governor signed a supplemental capital budget, and the City was awarded \$500,000 for the Carnegie project. This award should be received after June 30. The third Town Hall meeting regarding the Carnegie Project has been tentatively scheduled for Tuesday, April 24 at the Senior Center. The Public Safety Commission's Town Hall meeting will be held on Tuesday, May 22, 6:00 p.m., at the Fire District, Harvey Auditorium, regarding Homelessness, Opioids and Addiction. At the May 1 Council meeting, Finance Director Burton will be discussing the City's five-year financial projection.

13. **MAYOR'S COMMENTS:**

Mayor Kartak emphasized one of his main priorities is addressing the loading dock noise issue at Snohomish Station and Haggen Foods. He thanked City Administrator Schuller and Councilmember Redmon for their efforts in this matter. He noted he was a judge in the Easter Parade and Bonnet Contest. He thanked the Chamber of Commerce for inviting him to participate in this event.

14. **MOTION** by Guzak, second by Merrill to **ADJOURN** at 7:27 p.m. The motion passed unanimously (6-0)

APPROVED this 17th day of April 2018

CITY OF SNOHOMISH

ATTEST:

John T. Kartak, Mayor

Pat Adams, City Clerk