

**Snohomish City Council Minutes
August 16, 2022**

1. **CALL TO ORDER:** Mayor Redmon called the Snohomish City Council Meeting to order at 6:00 p.m., Tuesday, August 16, 2022. 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.

COUNCILMEMBERS/MAYOR PRESENT

Lea Anne Burke
David Flynn
Karen Guzak
Judith Kuleta
Tom Merrill
Felix Neals
Donna Ray
Linda Redmon, Mayor

STAFF PRESENT

Brady Begin, Economic Development & Outreach Coordinator
Brennan Collins, Project Manager
Brooke Eidem, Planner
Emily Guildner, City Attorney
Nova Heaton, Public Works Director
Scott James, Finance Director
Rob Palmer, Police Chief
Glen Pickus, Planning Director
Ann Ray, Community Services Program Specialist
Heather Thomas, City Administrator
Brandi Whitson, City Clerk

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

MOTION by Guzak, second by Ray to approve the agenda as presented. Motion passed unanimously (7-0).

3. **CONSENT ITEMS:**

- a. ADOPT Snohomish County Comprehensive Solid and Hazardous Waste Management Plan 2021 Update - PASS Resolution 1348
- b. AUTHORIZE Mayor to Execute Professional Services Agreement with Herrera Environmental Consultants for the Blackmans Lake Cyanobacteria Management Plan
- c. AUTHORIZE Mayor to Execute Special Event Permit Contract for the 2022 Snohomish Block Party
- d. APPROVE minutes of the July 19, 2022 regular meeting
- e. AUTHORIZE payment of claim warrants #77200 through #77326 in the amount of \$817,331.30, issued since the last regular meeting.

MOTION by Merrill, second by Burke to amend the Consent Item 3a to read Resolution 1438. Motion passed unanimously (7-0)

MOTION by Ray, second by Neals to PASS the Consent Items as amended. Motion passed unanimously (7-0).

4. PRESENTATIONS:

a. Multifamily Property Tax Exemptions - Linda Hjelle, Snohomish County Assessor

Ms. Hjelle provided a slide presentation with estimates and examples of taxing on properties for potential tax exemptions from the MFTE. Council asked several questions regarding possible scenarios. Ms. Hjelle explained how the exemption would be split across all taxing districts. She explained the difficulty in speculating on assessed valuations, but based on some examples provided, the average assessed value was 95 cents to \$344 per year to offset values of potential exemptions.

b. Law Enforcement Update

Chief Palmer provided background and updates of the City's law enforcement services, covering history, services provided, traffic and crime statistics, notable events, investigations, and achievements.

Councilmember Burke inquired about available mental health resources. Chief Palmer explained crises responders and the Fire District were resources officers could utilize. Ms. Thomas mentioned the City's new Community Navigator position would also be able to help in this area.

Council President Merrill asked if the budget amendment to attract and retain officers was proving helpful. Chief Palmer confirmed it was, adding those that leave do so for a variety of reasons, but it did help attract applicants.

c. Avenue A Gazebo Update

Mr. Collins explained the contractor repairing the gazebo discovered extensive damage to the support footings of the gazebo caused by the root system of the three nearby trees. Due to the destabilization of the foundation, the trees needed to be removed. He explained that replacement trees could be at a ration of 1:1 or better, with a full landscape plan developed later this year. The tree committee would help identify the right species of trees and their location to help reduce or eliminate the chance for future damage.

Council thanked contractor Palmer Bodin for his work and going beyond expectations to fix the situation.

5. PUBLIC COMMENTS:

Morgan Davis commented on potential impacts of the tax assessments of the MFTE presentation.

Craig Erickson referred to perceived holes in the MFTE program.

Brad Steiner, Friends of Blackmans Lake, spoke in support and appreciation of the work being done for Blackmans Lake.

Greg Chandler questioned taxes without a vote and spoke to increased population and infrastructure construction costs.

Palmer Bodin commented on public understanding of the problem the MFTE was trying to resolve.

Tom Edwards commented on assessed valuations and effects of increased construction.

Terry Lippincott spoke to the need for affordable housing in the City.
Kelly Marks commented on high home prices and increased traffic.

6. **ACTION ITEMS:**

- a. SET Public Hearing Date for Intent to Designate Midtown District as Residential Targeted Area - PASS Resolution 1437

Mr. Pickus provided background on the staff report, explaining the resolution would set a public hearing date of September 20, 2022, to consider designating the Midtown District as a residential targeted area. Staff will develop and launch an extensive, multi-faceted public outreach program to provide the information to the public prior to the public hearing. He reminded Council that the tax exemption was only one tool available, would not likely solve the City's housing problem, and was optional for developers. Setting the public hearing was the first step.

Council asked questions and staff clarified:

- Regulations would apply to any designated area, including the Pilchuck District.
- Staff will present final recommendations on qualifying percentages of low-income units.
- Recapped the other tools available: reduce fees, expedite permit review, and allowable height limits.
- Exemptions would apply to the value of the residential aspect of the development, including associated parking and common areas.

Public Comment:

Morgan Davis commented on the number of units that might be allowed in Midtown.
Palmer Bodin did not support adopting the exemption.
Greg Chandler questioned any increase of single-family zones at the same time.

Public Comment Closed.

Councilmember Neals commented on the City's UGA and responsible control of growth in open spaces. Also need to consider the impact of not doing anything. Snohomish could learn from what other cities are doing rather than following their actions. He wanted to make sure other options were explored and stated they have not been ruled out.

MOTION by Guzak, second by Ray to APPROVE Resolution 1437 stating it is the City Council's intention to designate the Midtown District as a residential target area and setting a public hearing date for September 20, 2022.

Several Councilmembers remarked on comments they were hearing from the public regarding population growth and related decisions. Many processes and procedures being followed were outlined by the Growth Management Act, and not by individual preferences. They supported opportunities for public outreach before the scheduled hearing, and other information that could be shared at that time.

VOTE on MOTION: Motion passed unanimously (7-0).

b. AMEND SMC 14.25 and 14.207 to Regulate Preschools - ADOPT Ordinance 2445

Mr. Pickus provided background on the item related to regulating preschools, which was not identified in the land use code. He described the Planning Commission's recommendations in defining and identifying regulations for preschools.

Councilmembers Ray and Burke inquired about enforcing the noise ordinance. Mr. Pickus explained that in a single family zone, the City could apply specific conditions--such as specify hours--during the conditional use permit process the applicant would have to follow which may ease noise enforcement, rather than focusing on decibels.

Councilmember Neals questioned the conditional use permit process. Mr. Pickus explained a Hearing Examiner decides on conditional use permits. Staff would then work with applicants to address imposed conditions. The process provides an opportunity for public input.

Council President Merrill asked if there were enrollment limits for preschools in the residential areas. Mr. Pickus answered there was not, adding the Planning Commission felt the likelihood of a preschool in a residential area was low because houses were too small to accommodate the enrollment needed to be profitable.

Councilmember Burke clarified preschools needed state licenses, which helped determine the number of children. Mr. Pickus confirmed the City would rely on the state to regulate operations.

Councilmember Ray asked if there was a limit on how many preschools could be open in a certain area, and why allow them in residential areas. Mr. Pickus responded there was no limit, and the Planning Commission felt there was a demand for preschools and wanted to make them more available.

Public Comment:

Jim Lewis commented on the lack of educators commenting on school operations. **Terry Lippincott** identified herself as a retired educator, and felt decisions reached were balanced.

Public Comment Closed.

MOTION by Burke, second by Guzak to ADOPT Ordinance 2445 amending Title 14 SMC to regulate preschools, as recommended by the Planning Commission.

Council President Merrill appreciated the Planning Commission reviewing the topic. Councilmember Neals stated the importance of providing services in the City, and that regulations could be revised as needed.

VOTE ON MOTION: Motion passed unanimously (7-0).

c. AMEND SMC 14.25 and 14.207 to Regulate Short-Term Rentals - ADOPT Ordinance 2446

Mr. Pickus reviewed the staff report to amend the code related to short-term rentals, as

like preschools, they were not addressed in the Land Use code. He outlined Planning Commission recommendations on definitions, and application parameters. Very few short-term rentals have been identified in the City, but staff anticipates further research. Addressing the topic would also allow the City to work with parent companies such as Airbnb and Vrbo to collect applicable taxes.

At 8:42 p.m., **MOTION** by Neals, second by Burke to extend the meeting to 9:30 p.m. Motion passed unanimously (7-0).

Councilmembers questioned aspects of the topic, which staff answered. These included:

- Permits and accountability, licensing, and administrative costs.
- Zoning restrictions, impacts on housing availability or long-term housing stock.
- Potentially adding more regulations if impacts discovered, neighbors complain.
- Clarification of definitions and where regulations would apply.
- Conflict with other rules, such as with a homeowners' association.

Public Comment: None.

Public Comment Closed.

Council President Merrill commented on the reduction of rental units offered in an apartment complex because the landowner claimed they could make more money offering the units on Airbnb.

Councilmember Burke questioned if there was research on the impact of short-term rentals in the City, and any comparisons to other cities. Mr. Pickus suggested the next step could be to find out how many short-term rentals existed and report back to Council for further direction.

MOTION by Guzak second by Merrill to ADOPT Ordinance 2446 amending Title 14 SMC to regulate short-term rentals as recommended by the Planning Commission. Motion passed unanimously (7-0).

RECESS at 8:54 p.m. until 9:01 p.m.

d. AMEND ARPA Allocations - ADOPT Ordinance 2452

Mr. James and Ms. Thomas explained the proposed changes to the allocations previously adopted, which consists of moving funds from one account to another for identified uses and to offer some flexibility. One change would also allow staff to review denied applications or provide increased amounts for utility billing and rental assistance.

Council President Merrill asked about recovery seen in the business community. Ms. Thomas responded the changes would provide more flexibility in helping non-profits, but staff has also questioned AWC on what other cities are experiencing.

Staff will continue to provide updates on allocations and use of funds.

Public Comment: None

Public Comment Closed.

MOTION by Burke, second by Guzak to ADOPT Ordinance 2452 updating the allocation of funds and intended uses of the Snohomish Rescue Plan Fund. Motion passed unanimously (7-0).

7. **OTHER BUSINESS/INFORMATION ITEMS:** Council President Merrill invited commenters and members of the public with questions related to the MFTE to contact him.

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

Councilmember Guzak thanked Ms. Eidem for her presentation to Green Snohomish about the urban tree count and Tree City USA process.

Councilmember Burke congratulated Ms. Eidem on receiving her AICP certification, and thanked Mr. Bodin for his work on the gazebo.

Councilmember Flynn expressed thanks to Ms. Ireton and Councilmember Kuleta for their work on the upcoming Artwalk, to the community members putting together the Block Party, and to Chief Palmer for keeping everyone safe during these events. He attended meetings with the Chamber and Engage Snohomish.

Councilmember Neals reported on the success of the recent wine walk event. He has been reaching out to councils in other cities to cultivate ideas and gather a sense of how people are doing things similar to what Snohomish is trying to accomplish.

Councilmember Kuleta invited all to the Artwalk on August 18, and commented on the number of people she has seen enjoying the lawn area next to the Carnegie Building.

Councilmember Ray thanked the Lions Clubs and Terry Lippincott for their work with National Night Out. She reported the Public Safety Commission will host a town hall in November to share information on Neighborhood Watch programs.

9. **COUNCIL PRESIDENT'S ITEMS/REPORTS:** Council President Merrill expressed congratulations on the Artwalk. Last week he met with Councilmembers Guzak and Ray to review Council goals, and then met with Mayor Redmon and Ms. Thomas for review. He will share the revised goals with Council, and anticipated discussion to occur at a special meeting on September 13.

10. **CITY ADMINISTRATOR'S COMMENTS:** Ms. Thomas provided the following:

- Introduced new City staff Brady Begin, and staff Ann Ray in her new role.
- Reminder that the SR9 Bickford roundabout work has started, with traffic routed through the City. WSDOT, City Street crews, and the Police Department were working to lessen impacts of increased traffic.
- Expressed thanks to the City Streets team for installing a triangular beacon at the crosswalk by Cascade View Elementary.
- The Bickford Avenue Overlay Project was advertised with a bid opening next week. The City received additional grant funding for the project.
- Encouraged all to take the survey related to the City's ADA Transition Plan.
- Update on Blackmans Lake: The agreement for consulting services on the algae blooms has been authorized. Removal of curly leaf pondweed by a contracted diver should

commence early September.

- After consulting with Mayor Redmon and Council President Merrill, a special City Council meeting will be scheduled for 6:00 p.m. on Tuesday, September 13, 2022, to discuss Council Goals and the future of the Carnegie Building.

11. **MAYOR'S COMMENTS:** Mayor Redmon shared portions of a joint statement she signed with Snohomish County for Overdose Awareness Day, August 31. She reported upcoming events include Rivers Edge Brew Fest on August 20, Snohomish Block Party on August 26-27, and future plans for a grand reopening of the gazebo.

12 **ADJOURN.** There being no objection, the meeting adjourned at 9:23 p.m.

APPROVED this 6th day of September, 2022.

CITY OF SNOHOMISH

ATTEST:

Linda Redmon, Mayor

Brandi Whitson, City Clerk