

**CITY OF STANWOOD**  
Regular Meeting of the City Council  
April 25, 2024 | 7:00 p.m.  
**MINUTES**

**1. Call to Order and Pledge of Allegiance**

Mayor Sid Roberts called the meeting to order at 7:00 p.m. Councilmember Bergman led the Pledge of Allegiance.

**2. Roll Call**

City Clerk Lisa Sokolik called the roll with the following Councilmembers Present: Dani Gaumond, Marcus Metz, Darren Robb, Robert Hicks, Steve Shepro, Andreena Bergman, and Tim Schmitt. The meeting was quorate.

Also present: City Administrator Shawn Smith, Community Development Director Patricia Love, Deputy Fire Chief Dave Kraski, Police Chief Jason Toner, Police Sgt. Karl Gilje, Police Sgt. Kore Oyetuga, City Engineer/Capital Projects Manager Alan Lytton, and City Clerk Lisa Sokolik. Public Works Director Kevin Hushagen, City Attorney Nikki Thompson and Utilities Supervisor Leigh Danielson attended via Zoom.

**3. Approval of the Agenda**

Mayor Roberts removed item 4. Presentations and item 14. Executive Session from the agenda.

*Motion by Councilmember Metz, second by Councilmember Hicks to approve the agenda as amended. **Motion carried unanimously.***

**4. Presentation:** None.

**5. Public Comments**

|          | <u>Name</u>  | <u>City</u> | <u>Topic</u>                                     |
|----------|--------------|-------------|--------------------------------------------------|
| Written: | Carol Kind   | Stanwood    | Two suggestions for the WA State Growth Mngt Act |
| Verbal:  | Kathy Wooten | Stanwood    | Ovenell Park Farm Update                         |

**6. Staff / Department Report**

Annual Small Works Roster Project Report for 2022-2023

**7. Council Committee Reports**

- a. Community Development Committee Meeting Minutes – April 4, 2024
- b. Planning Commission Meeting Minutes – March 11, 2024
- c. Parks and Trails Advisory Committee Meeting Minutes – March 18, 2024

**8. Consent Agenda**

- a. Approve Vouchers and Payroll Checks
- b. Approve City Council Regular Meeting Minutes – April 11, 2024
- c. Approve Second Leak Adjustment for Account 2716
- d. Authorize the Mayor to sign the Snohomish County ILA for Affordable Housing and Behavioral Health Capital Facilities

e. Approve Planning Commission Appointment – Gabrielle Braley

*Motion by Councilmember Gaumond, second by Councilmember Shepro to approve the consent agenda items A through E. **Motion carried unanimously.***

**9. Unfinished Business:** None.

**10. Public Hearing:**

Fire Works Code Amendment

Mayor Roberts opened the Public Hearing at 7:10 p.m. to receive public testimony on the Fire Works Code Amendment.

Love said this is the first reading of Ordinance 1531 amending the City's fireworks regulation. The ordinance is a result of an advisory vote that was added to the November 2023 ballot with results of 58% in favor of a fireworks ban. Council held a special workshop in February 2024 to discuss the results of the vote and to provide initial direction. Council had mixed opinions about how to proceed; this first draft of Ordinance 1531 attempts to reflect those opinions from the workshop.

Verbal Public Testimony:

| Name            | Address                                 | Comment                                                                                                                                                                                                                                                                                                            |
|-----------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Elaine Commins  | 27750 70 <sup>th</sup> Ave NW, Stanwood | Support for a full ban, provided Council a PowerPoint of her reasons.                                                                                                                                                                                                                                              |
| Mike Heckendorf | 27818 73 <sup>rd</sup> Dr NW, Stanwood  | Support for a full ban, asking council to honor the advisory vote results.                                                                                                                                                                                                                                         |
| Cathy Wooten    | 27828 84 <sup>th</sup> Ave NW, Stanwood | Disappointed about how the advisory vote happened, there should have been extensive discussion about this highly controversial topic before the issue was put on the ballot. The way this was approached was awkward, thoughtless, and unprofessional.                                                             |
| Michael Wooten  | 27828 84 <sup>th</sup> Ave NW, Stanwood | Opposed to the code amendment, supports a full ban of fireworks.                                                                                                                                                                                                                                                   |
| Tim Pearce      | 27823 80 <sup>th</sup> Ave NW, Stanwood | Support of a partial ban. When the issue was put on the ballot, Snohomish County limited the city to either a Yes or No, there were no other options. Have talked to many people who would be OK with a partial ban, no matter if they voted yes or no. Suggested that the city put on a community fireworks show. |
| Jennifer Corser | Stanwood                                | Support of a full ban. Only have a partial ban after there have been townhall meetings, and discussions with fire and police.                                                                                                                                                                                      |

|              |                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Brian Kemp   | 27512 76 <sup>th</sup> Dr NW, Stanwood  | Apposed to banning fireworks but would support a partial ban. Historically fireworks have been used to celebrate 4 <sup>th</sup> of July. Voters were only given two options, ban or not ban, nothing in-between. Local government should not strip us of the yearly reminder of the fear and discomfort that comes for fighting for freedom. Freedom comes at a cost, and a yearly reminder of that cost is essential to have history not repeat itself. |
| Greg Martin  | 832 B. Henning Dr, Stanwood             | Support of a partial ban. No other option than No or Yes on the ballot.                                                                                                                                                                                                                                                                                                                                                                                   |
| Mike Doyle   | 27810 73 <sup>rd</sup> Dr NW, Stanwood  | Support of a partial ban. It's hard on those who get up early for work when fireworks continue all night for days. People are disrespectful, they do not care if the fireworks are landing on your roof, car, or yard.                                                                                                                                                                                                                                    |
| Mark Commins | 27750 70 <sup>th</sup> Ave NW, Stanwood | Support a total ban. The code amendment does not do anything but limit times. Need to address what is being launched into the air. Need to set a baseline of not allowing anything going into the air and to allow the police to write tickets.                                                                                                                                                                                                           |

Written Public Testimony:

| Name              | Address                                 | Comment                                                                                                                                |
|-------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| Elaine Commins    | 27750 70 <sup>th</sup> Ave NW, Stanwood | Support of a total fireworks ban.                                                                                                      |
| Mike Heckendorf   | 27818 73 <sup>rd</sup> Dr NW, Stanwood  | Support of a total fireworks ban.                                                                                                      |
| Denise Long       | 8622 Nordic Way, Stanwood               | Council encourages citizens to participate, council then should listen to the voice of the citizens.                                   |
| Sam Long          | 8622 Nordic Way, Stanwood               | Council encourages citizens to participate, council then should listen to the voice of the citizens.                                   |
| Tim Pearce        | 27823 80 <sup>th</sup> Ave NW, Stanwood | The advisory vote needed to be clearer, the 'no' or 'yes' was too limiting. Suggests beginning with a partial ban.                     |
| Elizabeth Mueller | Stanwood                                | Does not support a full ban, but limiting days is acceptable. Fireworks is celebrating our independence and a long-standing tradition. |

|                |                                         |                                                                                              |
|----------------|-----------------------------------------|----------------------------------------------------------------------------------------------|
| Jamie McIntosh | NW, Stanwood                            | Does not support a full ban but limiting days as a compromise. Have a community celebration. |
| Miranda Yeo    | 27224 103 <sup>rd</sup> Dr NW, Stanwood | Does not support a full ban.                                                                 |
| Bobbi Eldridge | 7310 261 <sup>st</sup> St NW, Stanwood  | Support for a full fireworks ban. Does not support an amendment to the code.                 |
| Katrina Dohn   |                                         | Suggestions of alternatives instead of a total fireworks ban.                                |
| Scott Fedale   | 7110 280 <sup>th</sup> Pl NW, Stanwood  | Supports the firework code amendment.                                                        |

With no further public testimony, Mayor Roberts closed the public hearing at 7:42 p.m.

Council made comments and asked questions about the ordinance. Love noted that if the ordinance passes, it will go into effect in one year, giving time to educate the community.

Deputy Fire Chief Kraski said that he is for public involvement, the problem will be enforcement, there will need to be an education period with a gradual penalty over time, there will still be the issue of people purchasing illegal fireworks since they are sold just down the road. From a firefighter standpoint, they are against fireworks, his personal opinion, he thinks the city should honor the results of the vote. He added that he would love to see the City put on a community fireworks show.

Police Chief Toner said the problem with a ban will be enforcement, officers would do their best to respond to calls but 4<sup>th</sup> of July is a busy night and officers have to prioritize calls and will respond first to higher priority calls. It will take a few years of education then graduate to civil penalties.

Council discussed and asked questions that were answered by Toner and Kraski.

The Mayor asked for a show of hands from the public in attendance who would like to see a city sponsored fireworks show. Everyone in the audience raised their hand.

Councilmembers made comments and spoke to:

- The fireworks ban advisory vote results.
- The advisory vote revealed that public opinion heavily favors action by this council.
- The advisory vote created confusion.
- The definition of an advisory vote is to provide input to council in its decision process, it's one data point amongst many other data points to consider.
- Respects the logic behind banning fireworks.
- The safety aspect of fireworks and concerns over the types of fireworks being used.
- Long standing tradition of celebration only two days a year.
- City is not ready to enforce a full ban, do not have an alternate way in place to encourage citizen to celebrate another way.
- Not in favor of a full ban.
- Not in favor of advisory votes.
- Other factors should also be weighed and not just the advisory vote as the results are not obvious and conclusive of the a general will of the people.

- If the 37% turnout undermines the validity of the advisory vote, then the elected officials on the same ballot who only received 29% of the register voter's votes should also question the validity on the same grounds.
- Approximately 63% of the community did not vote, that may be due to it not being an election year.
- Disappointment in how many people showed up to vote.

*Motion by Councilmember Hicks, second by Councilmember Robb to accept the first reading of Ordinance 1531 as set forth in Attachment A and to proceed with the second reading.*

*Roll call of votes was taken:*

|                       |       |
|-----------------------|-------|
| Councilmember Gaumond | – Yes |
| Councilmember Metz    | – Yes |
| Councilmember Robb    | – Yes |
| Councilmember Hicks   | – Yes |
| Councilmember Shepro  | – Yes |
| Councilmember Bergman | – Yes |
| Councilmember Schmitt | – Yes |

***Motion carried unanimously.***

## 11. New Business

Authorize the Mayor to sign the Department of Ecology Grant for the Raplee Property

Love said the Raplee property has been identified along the Twin City Mile project as a great area for a gateway into the historical west end of town. The DOE grant is a no match \$76,000 grant and the funds will allow for the city to do additional site investigation work prior to purchasing the property.

Council discussed and asked Love questions.

*Motion by Councilmember Robb, second by Councilmember Shepro to authorize the Mayor to sign the Department of Ecology Raplee Site Investigation Grant agreement in its current form or as revised and approved by the City Attorney. **Motion carried unanimously.***

## 12. Public Closing Comments:

| <u>Name</u>    | <u>City</u> | <u>Topic</u>                                                                                                                                                                                                                           |
|----------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Elaine Commins | Stanwood    | In favor for a Fireworks Ban.                                                                                                                                                                                                          |
| Michael Wooten | Stanwood    | Washington description of illegal fireworks: firecrackers, skyrockets, missiles, and bottle rockets, basically anything that goes into the air. Suggested send out publication reminding citizens of what fireworks are ok and not ok. |
| Brian Kemp     | Stanwood    | Quoted General Douglas MacArthur "No man is entitled to the blessings of freedom unless he be vigilant in its preservation".                                                                                                           |

### 13. Executive/Legislative Reports

#### a. Mayor's Report

#### b. City Administrator Report

There was a sewer flood at the police station during the remodel. The insurance adjuster said the entire cost of the repair and cleanup will be covered. Mayor Roberts proclaimed an emergency to allow for immediate contracting. Staff will bring a resolution to the May 9<sup>th</sup> council meeting asking for Council to ratify the proclamation.

#### c. Councilmember's Report/Questions

- Schmitt complimented the Public Works crew who are working on a project on his street. Thanked citizens for their comments, be sure that your comments were heard.
- Bergman thanked everyone for their comments.
- Shepro said tonight's comments were the best he has ever heard and thanked everyone who participated.
- Robb asked the City Engineer for a status of the 'out-of-commission' slide at Lions Park. Lytton said he will talk with the Parks Lead and find out when the slide will be repaired.
- Metz said the stop sign is back up at MOD Pizza. Would like to see Stanwood have a community 4<sup>th</sup> of July event.
- Gaumond thanked everyone for coming to the council meeting and participating in the fireworks discussion.

### 14. Recess to Executive Session

No executive session.

### 15. Adjourn

There being no further business before the Council, and hearing no objection to adjournment, Mayor Roberts adjourned the meeting at 9:15 p.m.

CITY OF STANWOOD

  
\_\_\_\_\_  
Sid Roberts, Mayor

ATTEST:

  
\_\_\_\_\_  
Lisa Sokolik, City Clerk