

CITY OF STANWOOD
Regular Meeting of the City Council
Thursday, April 26, 2018 – 7:00 p.m.
Stanwood Camano School District Administration Board Room
MINUTES

1. Call to Order and Pledge of Allegiance

Mayor Kelley called the meeting to order at 7:02 p.m. and led the Pledge of Allegiance.

2. Roll Call

Deputy Clerk Erica Schorn called the roll with the following Councilmembers present: Rob Johnson, Elizabeth Callaghan, Timothy Pearce, Larry Sather, and Judy Williams. The meeting was quorate.

Motion by Councilmember Sather, second by Councilmember Callaghan, to excuse Councilmembers White and Ryer. Motion carried unanimously.

Also present: City Administrator Ryan Larsen, Finance Director David Hammond, Public Works Director Kevin Hushagen, Police Chief Norm Link, Fire Chief John Cermak, City Attorney Grant Weed, and Deputy Clerk Erica Schorn.

3. Approval of the Agenda

Mayor Kelley added an Executive Session on Property Acquisition to the agenda as Item 13.

Motion by Councilmember Sather, second by Councilmember Callaghan, to approve the agenda as amended by the mayor. Motion carried unanimously.

4. Citizen Comments

The mayor stated that comments on Ordinance 1456 will be heard when we get to that agenda item, and that only people who have not spoken before on the topic will be heard.

Cathy Wooten - 27828 84th AVE NW

Mrs. Wooten thanked council for stepping forward to participate in our city leadership. She commented that she sent an email regarding administrative conditional use permits to council and did not receive a response. She believes the administrative conditional use permit process weakens the public review process. She asked that the decision making power of the council be protected.

5. Presentation

- a. Proclamation – National Day of Prayer May 3, 2018

The mayor read a proclamation proclaiming May 3, 2018 as National Day of Prayer.

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6. Staff Reports

- a. Library Board Meeting Minutes – March 12, 2018
- b. Police Compstat Report – March 2018
- c. Public Works Monthly Report – March 2018
- d. Finance Report 1st Quarter – 2018

7. Committee Reports

- a. Community Development - April 12, 2018 Minutes
- b. Public Works - April 9, 2018 Minutes

8. Consent Agenda

- a. Approve Vouchers and Payroll Checks
- b. Approve April 12, 2018 Regular Meeting Minutes
- c. Approve Vintage Trailer Show Special Event Permit and City Contribution
- d. Approve the mayor's Library Board Appointment – Patty Tingler
- e. Approve the mayor's Salary Commission Appointment – Tim Schmitt
- f. Reject bid(s) for furnace/HVAC at City Hall

Motion by Councilmember Sather, second by Councilmember Callaghan, to approve the consent agenda items a through f. Motion carried unanimously.

Mayor Kelley recognized Patty Tingler, our new Library Board Appointment.

9. Old Business

- a. Ordinance 1456 – Retail Marijuana Rules, Potential First Reading

City Administrator Ryan Larsen presented Ordinance 1456 dealing with retail marijuana within Stanwood. At the April 12th Council meeting, staff was asked to provide alternative zoning locations for potential marijuana retail establishments. Based on this directive, staff is proposing only allowing retail shops in Mainstreet Business 1 and Light Industrial with no frontage on 271st or 88th south of the southern right-of-way line for Cedar Street, and within the General Industrial zones with no frontage on Pioneer Highway. If Council wishes to move in this direction, then changes would need to be made to the ordinance under section 17.30.040 zoning use table.

Councilmember Sather asked what motion option the council should make if council wishes to move forward with the proposed changes.

City Administrator stated it would be option two under the proposed recommendations, since we do not have enough councilmembers present tonight to approve first reading.

Councilmember Johnson stated he thought the City Administrator did a good job on providing alternative sites off of mainstreet.

Janette Harris 29524 49th Dr NW Stanwood

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Mrs. Harris stated she has done extensive studies on marijuana and it is a gateway drug. She summarized studies and articles explaining the negative effects of marijuana. She asked if the revenue received will pay for the robberies and hospital stays.

Georgia Pilkington 7102 278th ST NW Stanwood

Mrs. Pilkington is against the sale of retail marijuana in Stanwood. She said the potential effects will take a long time to be seen. She asked council to review the pros and cons, and to protect our most vulnerable.

Megan Dasher Watkins 2424 Pioneer Hwy Stanwood

Mrs. Dasher Watkins stated she has been in recovery for 31 years, and she is in favor of a marijuana shop. It would be no more detrimental than when there was a liquor store by Dairy Queen. A shop would bring in money that is currently going to surrounding cities. She provided a copy of a facebook post listing names of people who use marijuana and whether it's for recreational or medical reasons. She doesn't understand the relevance of why people need to know what others use marijuana for.

Vance Miller 27231 Manor Place NW Stanwood

Mr. Miller said he has a brother who is addicted to marijuana. He started using marijuana for pain. Just because something is legal doesn't mean it's morally right. He has a friend who had to close his dental practice in north Lynnwood because of the residue of the pot shops surrounding the clinic.

Barbara Graham 4606 268th ST NW Stanwood

Mrs. Graham is a mother of a child who started using marijuana in grade school, and has gone into the use of other drugs, stealing, and has served prison time. As a mother, she has firsthand experience with what marijuana has done to her child.

Trinity Homparens 7433 28th ST NE Arlington

Mrs. Homparens read a speech from a fellow Arlington resident, including statistics about marijuana use and perceived parental and community norms. She asked if the tax revenue is worth even one DUI fatality. Marijuana contains a psychoactive substance and is a very strong and important medicinal plant that should be treated as such.

Abigail Satterfield 30400 15th Ave NE Stanwood

Ms. Satterfield said as an eleven year old, she wants to know that her community is safe. As she is shopping downtown she wants to know that the people around her are in their right mindset. She enjoys this community and enjoys the fact that she can walk down the street with her friends.

Marylee Sams 20028 Beach Drive Stanwood

Mrs. Sams taught in the Stanwood school district for a number of years. She doesn't know why anyone would think tax revenue is more important than the welfare of our citizens. We want

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our kids to feel safe walking down the street. Having a pot shop so accessible will open up a host of negative influences on our children.

Jennifer Clem 27556 79th Dr NW Stanwood

Mrs. Clem focused on the youth in Stanwood. She is a teacher for Stanwood and has taught many lessons on drugs. Marijuana is one of four gateway drugs. Few people use illegal drugs without first trying marijuana.

Jessica Stickels 8108 Abby Place Arlington

Mrs. Stickels is an Arlington City Councilmember, and wanted to share what she has learned from her city since allowing retail marijuana. She is the Public Safety Liaison and found that there has been zero increase in public safety issues due to marijuana. The perception is that supply and demand went down on the streets. Each of the processors have continued to hire employees at \$18 per hour, and the Clean Air Agency works with them to resolve any complaints. Business owners of retail shops have become active community members.

Kate Hansen 28714 75th Dr NW Stanwood

Ms. Hansen stated that two years ago she and her mother attended a council meeting when retail marijuana was discussed. She and her mother spoke in opposition to a recreational marijuana shop at the meeting and she described her experience with other citizens with opposing views who confronted her and her mother. She asked that council not make the downtown a scary place to be.

Tim Schmitt 27308 101st Ave Stanwood

Mr. Schmitt said his previous comment at the last meeting was regarding the Planning Commission, he did not take a stance on marijuana. He said it is futile to spend time on whether marijuana is good or bad. The focus should be on whether a marijuana store is good or bad. If a shop would be a positive member of our business community, then he believes it is acceptable to approve the Ordinance.

Dottie Gorsuch 27519 80th Dr NW Stanwood

The mayor stated Mrs. Gorsuch spoke at the last meeting, so she would not be allowed to speak tonight.

Mrs. Gorsuch asked council to remember they are the mothers and fathers of the community.

Steven Jones 27616 80th Ave NW Stanwood

Mr. Jones stated he doesn't smoke marijuana but he drinks Bud Light, which some find to be more harmful. He stated that the current policy of not allowing marijuana has left the door open to the black market. The question is, do we want tax payer dollars to combat all the negatives that come along with a controlled substance.

Kellyn Miller 7834 264th PL NW Stanwood

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Mrs. Miller read a letter from her father, who worked in law enforcement for twenty years, and was Chief of Police and a Councilmember for the City of Edmonds and is opposed to retail marijuana. Inviting retail marijuana into Stanwood is inconsistent with the city's comprehensive growth plan, which speaks to Stanwood's small town character and family friendly atmosphere.

Kathy Grant 8201 283rd ST NW Stanwood

Mrs. Grant stated she chose to live in Stanwood because it is a family friendly small town. She loves working with young adults, and high school is possibly the hardest time in ones' life. Our culture has been reckless with alcohol, and she doesn't want our small town to be reckless with marijuana.

Arnold Ronning 4431 268th ST NW Stanwood

Mr. Ronning stated this is not a black and white issue. We have to ask ourselves, what is the compassionate response to this dilemma? Do we allow retail marijuana sales to create easier access for those with a medical need, or do we say no to an unnecessary temptation such a store would present to our youth? He says no thank you to a marijuana outlet in Stanwood, given the proximity of retail shops in neighboring communities.

Dylan McFadden 28621 74th DR NW Stanwood

Mr. McFadden stated he is a philosophy student, and as he thought about the issue more deeply, he became more opposed to a retail marijuana shop. You can't arrive at truth and wisdom through a distortion of reality through recreational drug use.

Robert Horner 6903 287th PL NW Stanwood

Mr. Horner has worked in the insurance industry for 29 years, and the topic of cannabis comes up often in the insurance industry. He stated that among his peers, companies will not insure a pot shop due to liability. He is disheartened to think we are bringing this kind of environment here.

Jim Collins 2231 256th ST NW Stanwood

Mr. Collins teaches defensive driving, and he listed some effects of marijuana use, such as impaired coordination and difficulty with problem solving while behind the wheel. He provided statistics on the rising percentage of drivers involved in crashes involving marijuana.

Mark Cerasul - unintelligible 8411 276th PL NW Stanwood

Mr. Cerasul stated a retail marijuana shop will further burden our law enforcement. Our children face enough challenges, and it is our job to make it easier for them.

Kristie Flickner 842 Madrona Beach Camano Island

Mrs. Flickner is against a marijuana shop, and has been saying this since February. She asked who stands with her. Members of the audience stood up in support. She stated that council could be seen as heroes by not voting for marijuana. She asked council to think about what this town means to them and their children.

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Barbara Mazzio 28118 73rd Ave NW Stanwood

Mrs. Mazzio stated she has worked with children for the last 41 years, and is very involved in this community. She referenced the movie *It's a Wonderful Life*, and stated she does not want a Pottersville here. She stated families are on waiting lists to move here because it's a family friendly town.

Darren Sellers 27820 73rd Ave NW Stanwood

Mr. Sellers stated he reached out to a woman living in Pueblo, CO who doesn't think marijuana has been good for her town, and listed her reasons why. In Colorado, the black market has increased, not decreased.

Joan Nicholas PO BOX 1062 Stanwood

Mrs. Nicholas stated she has known hundreds of people who habitually use marijuana, and she has never seen a positive result from the use of marijuana. She spoke with someone who works in a dispensary outside of Mount Vernon, and was told there is no shortage of customers. She said the people she talked to stated that no one has complained about needing to go outside city limits for the product.

Roger Haskin 7606 276th St NW Stanwood

Mr. Haskin is opposed to the sale of recreational marijuana in Stanwood. He stated he works with youth, and the idea that adding the sale of retail marijuana will benefit the community is ludicrous. To change the comprehensive plan, a benefit to the community needs to be demonstrated.

Ivonne Corbett 1308 Beach Dr Camano Island

Mrs. Corbett is the owner of Ladders Clothing Co. downtown, and is opposed to a pot shop in downtown Stanwood. She has a child that goes to Stanwood Middle School, and she would not feel safe allowing her daughter to walk from school to her shop if a pot shop was downtown.

Carl Nystrom 27829 Pioneer Hwy Stanwood

Mr. Nystrom stated he has a sister with epilepsy treated by CBDs, and knows Vietnam Veterans with PTSD who smoke pot because they can't sleep. He stated we should be after heroin instead of marijuana.

Melissa Hutsell 28613 75th ST NW Stanwood

Mrs. Hutsell stated she has attended the Planning Commission and Council meetings on the topic, but she hasn't heard the viewpoints of council. Medicinal marijuana has its value for those who need it, and going to Camano Island or Conway to get it is not unreasonable. She asked why the woman from Arlington was allowed to speak.

Dawn Sarasillo 8411 276th PL NW

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Mrs. Sarasillo also commented on why the woman from Arlington spoke, and stated that the last thing we need is more people smoking marijuana. She hopes council will vote no, and stated that we could be the one community that doesn't have marijuana shops.

Clara Nichols 4624 259th St Arlington

Ms. Nichols stated that it is not true that everyone is using marijuana. Many towns have not allowed marijuana. We are a town full of families with more moving in all the time. A lot of towns allow it, but not in their downtown.

Liz Mccoy 28607 69th DR NW Stanwood

Mrs. Mccoy stated she has loved raising her family here. If we allow pot shops, it will give Stanwood a different feel, and families will pick up on that.

Dave Inhouse 8023 283rd ST NW Stanwood

Mr. Inhouse requested a comment from each councilmember stating their viewpoint on the issue.

Councilmember Johnson asked City Attorney Grant Weed if we need four votes to pass an ordinance.

City Attorney responded that a majority vote of the entire council is required to pass an ordinance.

Councilmember Sather stated he does not choose to impose his personal moral views on the City of Stanwood, but it is his job as an elected official to think for himself to decide what he believes is in the best interest of the City of Stanwood. The proposed Ordinance does not permit the sale of cannabis products to those under the age of 21. The people of the State of Washington voted to allow for the sale of both recreational and medical marijuana. He cares deeply about those people who might want to use marijuana for medical purposes, and to suggest that people can travel outside the City of Stanwood ignores the people who use medical marijuana who do not drive.

Councilmember Johnson stated he is an enemy of the unregulated illegal drug market, and believes voting in favor of marijuana is striking at the illegal drug market. He suggested everyone view the Netflix documentary entitled *Prohibition*. People are well intentioned and want to protect their community, but some other things can happen as well. This is a legal marijuana shop, not an opium den, and would not sell to children. He does not believe that Stanwood is so fragile that the mere sighting of a marijuana store will destroy the notion of Stanwood.

Councilmember Callaghan clarified that the motion on the floor is about bringing back the suggested edits to the ordinance which include not allowing a shop on mainstreet. As a teacher, she is aware of the dangers of normalization. She doesn't want to make marijuana another thing that's ok.

Councilmember Pearce stated that should he vote yes on this tonight it is because he believes this ordinance will pass, and he wants the regulations that are listed included. For many years,

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alcohol and tobacco have been well regulated, yet young people don't have a problem getting it. If our heroes are using these things, then it sends the message that it must be alright.

Councilmember Williams thanked all the young people that came and spoke tonight. She stated that by approving a legal business, we aren't saying that people need to go out and use that business. She commented that prior to the recreational laws being voted in, anybody could get a medical marijuana card. She commented on the statistics that were quoted tonight regarding an increase in marijuana related DUIs, and that of course they have increased, because this was not the focus of what police were looking for prior to the legalization of marijuana, therefore she feels this is a skewed statistic. As a parent, her job is to guide and educate her children, not to shield them from what they will be facing when they leave the home. She is taking a stand against intolerance. I-502 was voted yes by four of the seven districts in Stanwood.

Councilmember Sather stated he believes that those who make the most impact on children are their parents. Sometimes even though parents do their best, children don't do what their parents wish them to do.

Mayor Kelley stated that on Tuesday night, he attended a meeting for families affected by opioids, and one topic that came up was that people don't talk about addiction because of embarrassment. There are a lot of people who smoke marijuana who are afraid of being judged. Several months ago someone posted on facebook asking whether the mayor smoked pot, and tonight, someone provided him with a facebook post commenting on members of the community who smoke pot. Talking about people's personal medical problems in an open facebook page is disgusting. Everyone is entitled to their privacy, and no one has the right to judge that.

Motion by Councilmember Sather, Second by Councilmember Callaghan, to direct staff to provide the recommended alternative language as suggested by staff and bring back a revised Ordinance 1456 to reflect these changes. Motion carried unanimously.

10. New Business

- a. Authorize the mayor to sign Ecology Contract for Clean Sweep

Public Works Director Kevin Hushagen stated the city received a grant from the Department of Ecology for the Clean Sweep happening on Saturday, and he is asking for authorization from the mayor to accept the grant.

Councilmember Johnson clarified that Clean Sweep is only for citizens of Stanwood.

Public Works Director stated residents of Stanwood will have received a ticket in the mail, or they can bring a water or sewer bill for entrance. Large items are discouraged.

Motion by Councilmember Sather, second by Councilmember Williams, to authorize the mayor to sign the Local Solid Waste Financial Assistance Grant (LSWFA) agreement with Washington State Department of Ecology for the 2018 and 2019 Clean Sweep events. Motion carried unanimously.

- b. Adopt Resolution 2018-09 Washington Wildlife and Recreation Program (WWRP) and 2018-10 Youth Athletic Facilities (YAF)

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City Administrator Ryan Larsen presented two resolutions in support of grant applications through the RCO. We will know in September or October whether we scored high enough on either of these grant applications.

Motion by Councilmember Sather, second by Councilmember Callaghan, to adopt Resolution 2018-09 and Resolution 2018-10 to submit applications for grant funding assistance for WWRP and YAF and in doing so, delegate to and authorize the mayor to apply for the grant and execute the grant agreement and any amendments thereto and carry out all other measures necessary to qualify for and accept the grant funding through the Recreation and Conservation Office grant program. Motion carried unanimously.

11. Reports of Officers and Committees

a. Mayor's Report

- Clean Sweep is Saturday from 9:00am – 2:00pm
- Touch-a-Truck is May 5th
- Cities day is on May 5th at the Monroe Fairgrounds, and Stanwood residents can get in that day for free

b. City Administrator's Report

- Open House for Heritage Park Master Plan is May 3rd 4:00am - 6:00 pm at City Hall
- During the summer, there will be road closures on Marine View Drive for an embankment project

c. Councilmember Reports/Questions

Councilmember Callaghan stated Grace Academy is doing their production of *Our Town* on May 3rd, 4th and 5th and all are welcome.

Councilmember Johnson pointed out how well the roundabout works in Conway, particularly during the tulip festival traffic.

Councilmember Williams thanked those who stayed to the end of the meeting tonight because there was a lot of good information shared such as the details of the Clean Sweep and Touch-a-Truck events.

12. Citizen Closing Comments

Dottie Gorsuch 27519 80th Dr NW Stanwood

Mrs. Gorsuch asked if the city could consider those who don't have the means of transporting their items they wish to dispose of during the Clean Sweep event.

Councilmember Johnson suggested reaching out to community organizations to help coordinate something like this.

Kelly McGill 26549 Fox Hill Dr N Stanwood

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Commissioner McGill spoke to civility and commented that this was the first evening that a tone of nastiness prevailed. He believes the community can be better than this.

Cathy Wooten 27828 84th AVE NW

Mrs. Wooten agreed with Commissioner McGill. When people are afraid, our blood goes to fight or flight, and it's a lot easier said than done to manage our emotions. She also commented that the Kiwanis Club sponsors the Action Club who will accept donated tvs at certain days of the month. She also volunteered to help with aiding people in becoming involved in city government, which was mentioned at the last meeting.

Councilmember Callaghan stated that she has discussed this idea with Councilmember White as well.

Amy Sellers 27820 73rd Ave Stanwood

Mrs. Sellers stated she would like to be more involved with the community, and suggested a workshop day so the public can learn how they can get involved.

Carl Nystrom 27829 Pioneer Hwy Stanwood

Mr. Nystrom stated his water is very chlorinated. He is wondering why there is so much chlorine in our water. Chlorine is a carcinogen.

Arnold Ronning 4431 268th St NW Stanwood

Mr. Ronning thanked council for their comments, and stated that we should not give in to despair or belligerence, and we do have more influence as community members than the appearance of a single marijuana store.

13. Adjourn to Executive Session – Property Acquisiton [RCW 42.30.110(c)]

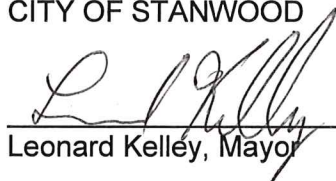
At 9:36 pm, Mayor Kelley adjourned the meeting to executive session to discuss property acquisition for five minutes.

The meeting reconvened at 9:42.

14. Adjourn

There being no further business before the Council, Mayor Kelley adjourned the meeting at 9:43. p.m.

CITY OF STANWOOD


Leonard Kelley, Mayor

ATTEST:


Erica Schorn, Deputy Clerk