

CITY OF STANWOOD
Regular Meeting of the City Council
Thursday, October 27, 2022 – 7:00 p.m.
In-Person & Zoom Online Meeting
MINUTES

1. Call to Order and Pledge of Allegiance

Mayor Sid Roberts called the meeting to order at 7:00 p.m. Councilmember Shepro 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, Tim Pearce, Steve Shepro, and Tim Schmitt. Councilmember Andreena Bergman arrived at 7:03pm. The meeting was quorate.

Also present: Community Development Director Patricia Love, Finance Director David Hammond, Public Works Director Kevin Hushagen, SGT. Raulie Robertson, City Attorney Nikki Thompson, Parks Planning Manager Carly Ruacho, City Planner Tansy Schroeder, Assistant to the Administrator/Communication Manager Krista Hintz, City Clerk Lisa Sokolik and Utility Supervisor Leigh Danielson via Zoom.

3. Approval of the Agenda

Motion by Councilmember Robb, second by Councilmember Metz to approve the agenda as published. Motion carried unanimously.

4. Presentation - None

5. Public Comments

Written comments must be provided to the Clerk by 9:00 a.m. on the day of the meeting. Verbal comments may be provided by attending the meeting in person or via Zoom. The Clerk did not receive any written comments.

Verbal:

Cathy Wooten, Stanwood Topic: Council appreciation for diligence in reading all the budget materials

6. Staff / Department Reports

Finance Department Third Quarter Report.

Councilmember Shepro asked why the City has \$10 million more in cash than at this time last year? Finance Director Hammond said it can be attributed to the \$2 million ARAP funds, a \$3.5 million bond for drainage projects and a \$5 million sewer bond issued in 2020 that have work in progress this year and next, and a surplus in the general fund that really should be put to work.

7. Council Committee Reports

a. Parks and Trails Advisory Committee Meeting Minutes – September 19, 2022.

- b. Public Safety Meeting Minutes – September 8, 2022.
- c. Public Works Committee Meeting Minutes – October 3, 2022.

8. Consent Agenda

- a. Approve Vouchers and Payroll Checks.
- b. Approve City Council Regular Meeting Minutes – October 27, 2022.

Motion by Councilmember Metz, second by Councilmember Shepro to approve the consent agenda items A and B. Motion carried unanimously.

9. Unfinished Business - None

10. Public Hearing

Interim Mini-Storage Development Regulations Amendment.

Community Director Love said this issue came to staff's attention during the work being done on the Comprehensive Plan, evaluating land uses on whether we can meet the city's population and employment growth targets. FCS Group prepared a land use analysis, and the city has enough land capacity to meet the population growth target but not enough land area to meet the employment growth target, approximately 250 jobs short.

Staff has been evaluating ways to make up for the deficit. One option was to look at land uses that are allowed within the general industrial zones and the light industrial zones. When looking at the market demands, staff experienced questions and desires to build more mini-storage facilities in Stanwood. Mini-storage facilities take up large tracks of land but produce little employment and the pay scale for that employment is on the low end. As part of the employment target the City is required to look at not only the total number of jobs, but also whether they are living wage jobs.

Mayor Roberts opened the Public Hearing to receive public comments.

Verbal Comments

No verbal comments

Written Comments

Jeff Glaspy, Titan Framing & Titan Homes	Topic: Concern about City prohibiting use
Merle Ash, Land Technologies	Topic: Concern about City prohibiting use
Aleph Fackenthall	Topic: Concern about City prohibiting use

Council comments and questions:

- Is there a time limit? Love answered that emergency ordinances are good for six months, if we don't have a solution in that time, it can be extended for another six months.
- Do we need to considered other businesses with a similar profile such as green houses and salvage yards, should we consider those as well? Love answered that there is already a list of prohibited uses, and she believes that salvage yards are on it, she will double check on the green houses.

Mayor Roberts explained to the council that there needs to be a motion to temporarily suspend Council Rule 32.a to allow for this emergency ordinance without a second reading.

Motion by Councilmember Robb, second by Councilmember Shepro to temporarily suspend Council Rule 32.a to allow for this emergency ordinance without a second reading.

Roll call of votes was taken. Motion carried unanimously.

Motion by Councilmember Rob, second by Councilmember Metz to authorize the Mayor to sign ordinance 1507 Mini-Warehouse/Storage Facility Emergency Ordinance and forward the issue to the Planning Commission for review as part of the Community Development Department's Comprehensive Plan and Municipal Code Update work plan.

Council comments and questions:

- Thank you to Director Love for bringing this to council. This isn't the first time that council has looked for the appropriate location for storage facilities. This emergency ordinance is an obvious and a needed step, so these facilities are not located in the mixed use development areas. This one became complicated, and the reason for the emergency ordinance, while there may be a need, we have a limited amount of space available for the type of zoning that will help us be in compliance with regional and county policies as we work on the 2024 City Comprehensive Plan, being out of compliance with the CPP is not reasonable and something we do not want to do. At looking at the employment growth target shortfall, given our limited space how do we grow this type of zoning without encroaching on what has always been residential?
- Is there a disproportionate amount of storage facilities compared to our population? Love said City Planner Tansy Schroeder did an evaluation on how many actual units there are, not just facilities, and compared that to our population. It is a high number of units for our small city of 8,000 people. It's not that they are not needed in this area or in the region, but we already have quite a few of them that are taking up our land supply and we only have a limited industrial land left.
- Merle Ash does make a fair point, storage sheds are needed, and they make a profit for the investor, but Council needs to prioritize meeting our employment growth target.
- Doesn't make sense to build storage facilities in the same parts of town where we are trying to revitalize the city with retail and commercial businesses.
- Doesn't seem like storage facilities should be in the city limits at all, for items that are needed so infrequently, there shouldn't be a need to have close access. Storage facilities are better suited in the county as they don't need city resources and utilities.
- Does the county have any close by zoning areas that allow storage facilities? Love said they can do research and include that information in their analysis.

Roll call of votes was taken. Motion carried unanimously.

11. New Business

- a. Authorize the Mayor to Sign a Contract with Thompson, Guildner and Associates for General Municipal Attorney Services.

Finance Director Hammond discussed the importance of a city's partnership with their city attorney and the relationship that the City of Stanwood has had with Weed, Graafstra and Associates, now Thompson, Guildner and Associates for the past 20-years.

Motion by Councilmember Shepro, second by Councilmember Pearce to Authorize the Mayor to sign a professional services agreement with Thompson, Guildner & Associates for general municipal attorney services.

Council questions and comments:

- Under what circumstance can a councilmember contact the City Attorney directly? City Attorney Thompson answered that councilmembers can contact the city attorney anytime to ask questions. They do report to the Mayor and City Administrator, so they like to be able to keep them informed when having conversations with councilmembers.

Mayor Roberts added in terms of spending city money well, if it's a simple question, to maybe run it by him or the City Administrator first before calling, but there is no restriction.

Roll call of votes was taken. Motion carried unanimously.

b. Adopt Resolution 2022-17 Rescinding 2020 Covid-19 State of Emergency.

Finance Director David Hammond said rescinding the 2020 Covid-19 State of Emergency will not affect federal funding or the ARPA funds.

This resolution states that there will be continued opportunity for remote attendance and participation at regular city council meetings and planning commission meetings, but not committee meetings for the public and in rare circumstances for councilmembers.

Council comments and questions:

- What about committee meetings? Hammond said this resolution proposes that committee meetings will not be available via Zoom.
- What about committees where members will have a long commute to attend? Community Development Director Love said this applies to formal committees like the Public Works and Community Development Committees, but the informal committees like the Twin City Mile, the Comprehensive Plan Update, and the Municipal Code Update working groups are committees that will disband once the project is complete, these informal committees will still have the option to attend via zoom.
- Are the council meetings still being videoed or recorded? Hammond said the Open Public Meeting Act (OPMA) only requires a recording. All council meetings recordings are posted to the website, the videos can be provided if requested. Tonight's meeting, the camera on the OWL was not working, but all previous council meeting videos have been archived.

Motion by Councilmember Metz, second by Councilmember Pearce to adopt Resolution 2022-17 Terminating the Local Emergency Declared in Response to the Covid-19 Pandemic by rescinding Resolution 2020-05 dated March 26, 2020, and terminating the office of the Mayor emergency proclamation dated March 9, 2020. Motion carried unanimously.

c. Authorize the Mayor to Sign Supplemental No. 2 with RH2 to Extend the Term Two Years.

Public Works Director Hushagen discussed this item and asked for any questions.

Council comments and questions:

- Exhibit C shows the rates and fees, was there an increase? Hushagen said he did not compare to last year's rates, but the rates do increase every year.

Motion by Councilmember Metz, second by Councilmember Robb to authorize the Mayor to sign Supplemental No. 2 with RH2 Engineering, Inc. to extend the On-Call Professional Services Agreement 2018-53 term for an additional two years. Motion carried unanimously.

d. Authorize the Mayor to Sign a Contract with TranTech Engineering for Irvine Slough Bridge Load Rating.

Public Works Director Hushagen said the bridge on Leque Road that goes over Irvine Slough into the Wastewater Treatment Plant was installed many years ago and was under the ownership of Snohomish County until it was annexed into the city. WSDOT has informed staff that the bridge is part of their National Load Rating Inventory. It is a requirement of WSDOT to have the load rating done by the end of the year.

Motion by Councilmember Robb, second by Councilmember Bergman to authorize the Mayor to enter into an agreement with Trantech Engineering, LLC not to exceed \$4,748.00, to perform a bridge load rating on the Irvine Slough Bridge. Motion carried unanimously.

e. Authorize the Final Acceptance of the 273rd PI Pedestrian Path Project Completed by Konnerup Construction.

Hushagen said the project was completed on time and under budget.

Motion by Councilmember Metz, second by Councilmember Pearce to authorize the final acceptance of the 273rd PI NW Pedestrian Path project completed by Konnerup Construction.

Hushagen pointed out that it is an asphalt path. With the topography in that area, if it was built up with a concrete path it would have created drainage issues for the surrounding properties.

Council comments and questions:

- Seeing lots of kids already using the path, it's a wonderful addition to the city.
- What is the life expediency of an asphalt path? Hushagen said an asphalt road will be repaved about every 10 years, with this only being a foot path, it should last longer, maybe 20 years.
- Could this path be an example for a viable alternative to concrete sidewalks? Hushagen said maybe, the walking path in the Fox Hill development is asphalt. Asphalt is less expensive than concrete, but problems can arise trying to get paving equipment in some areas, whereas concrete trucks have long shoots.

Motion carried unanimously.

f. Approve Chandlers Reserve Final Plat.

Community Development Director Love said Chandlers Reserve is a 91-lot subdivision off of 80th in north Stanwood. It received preliminary plat approval in 2020. A final plat is strictly controlled, no other conditions can be added. Staff inspected the plat to ensure it has met all the conditions for approval and/or has been bonded.

All performance bonds are in place. A performance bond can be issued if there is a potential for infrastructure damage, lifting of the road, or for landscaping when planting in the off season. Once a performance bond is released, it will go to a two-year maintenance bond.

Council comments and questions:

- Does the performance bond cover track 996, i.e., the walking path? Love answered yes. City Planner Schroeder added that the performance bond also included all the play equipment, benches, and trash cans. All the amenities have been bonded at 150%.
- When will the work on the walking path be scheduled? Love said performance bonds are valid for one year, if that becomes problematic the city has the ability to extend the bond.
- A private residence in the Candle Ridge subdivision has used the walking path for raised garden beds, for their own use as an extension of their property, will the beds be required to be moved? Love said staff is working with the residence to obtain an easement to allow them to continue to use it, but she the property owner does not want to sign the easement. If they don't sign the easement, then it will become a private matter between the property owner and the future homeowner association. Instead of the walking path ending at 283rd, it will continue by hooking up with the sidewalk.
- The Mayor added that this plat will also provide a way for the citizens living in the LGI plat a way to walk to downtown without having to walk on 80th.

Motion by Councilmember Metz, second by Councilmember Gaumond to approve the final plat of Chandlers Reserve and to allow the Mayor to sign the final plat in accordance with SMC 16.020.060(3)."

Roll call of votes was taken. Motion carried unanimously.

g. Authorize the Mayor to Sign a Task Order with Maul Foster and Alongi for the Johnson Farm Environmental Study.

Community Development Director Love said MFA is one of the City's on-call environmental consultants. To support Diking District 7 with repairing and widening/extending the dike and before the property can exchange hands an environmental study will need to be done. This project will be paid for with a grant from

the Stillaguamish Tribe with funds from Floodplains by Design. The project will be funded after January 1, 2023.

Motion by Councilmember Shepro, second by Councilmember Pearce to authorize the City Administrator to sign the contract with Maul Foster and Alongi, Inc., in the amount of \$88,788.00 to prepare the environmental studies necessary for the District 7 Dike Rehabilitation project on behalf of the City. Work may proceed after January 1, 2023, upon approval of the associated grant contract with the Stillaguamish Tribe."

Roll call of votes was taken. Motion carried unanimously.

- h. Authorize the Mayor to Sign a Contract with Judha of Lion Landscaping Services for Heritage Park and Church Creek Park Pickleball Courts.

Parks Planning Manager Carly Ruacho explained the two types of sport court surfaces and asked for Council's decision on two points:

1. Should two pickle ball courts be installed at Church Creek Park (CCP), or should one-multipurpose sport court be installed at CCP and two pickle ball courts be installed at Heritage Park (HRC)? The second option would require funds being transferred from CCP to HRC.
2. Should the sport court and pickle ball courts be concrete, asphalt or a combination?

There is a split recommendation. The Parks and Trail Advisory Committee does not support concrete at any location. Staff's recommendation is asphalt at HRC and concrete at CCP.

Council comments and questions:

- Congratulations Carly! Pickle ball courts have been a long dream for Stanwood. Wanted to recognize Carly's talent and effort on this project.
- On page 11.76, why is there a \$7,500 difference for going with asphalt and concrete option? Ruacho said there is a \$7,500 credit per court that is done in concrete.
- The bid called for 3 nets, but at CCP the users will need to supply their own net. Ruacho said we will only be billed for 2 nets.
- The design shows a 4 ft fence between each court, why did the bid call for a 10 ft fence? Ruacho said there will be a 10 ft fence around the perimeter of the courts and a 4 ft fence between the courts. For ease of bidding, the bid asked for a cost per linear ft for a 10 ft fence, but did not differentiate between 10 ft and 4 ft. The cost for this line item will come in under bid amount as the per linear ft cost for the 4 ft fence will be less than the 10 ft fence.
- Does the pickle ball club have a preference between concrete and asphalt? Ruacho said there is a pickle ball representative on PTAC, he said they are happy to play on either surface, but they do prefer asphalt. The concern for staff is the durability of an asphalt product at CCP in the location picked out for the court. The contractor has indicated a life span of three to four years if the tree roots encroach and lift or with drainage issues. The asphalt will only be 2 ½ inch surface, not like an asphalt road which is quite a bit deeper.

- Is there a maintenance benefit between the two surfaces? Ruacho said that there will be a sport court coating on top of whatever surface is chosen. The coating will have to be reapplied to both surfaces at the same timeframe. The coating can fill in cracks that are the width of a nickel, but it can not adjust for wavy or lifting, that will have to be repaired at the structural level.
- Does Public Works have any opinions from a maintenance perspective? Hushagen said both surfaces will require the same amount of cleaning. An asphalt court will have a concrete base, so some of the root issue may go away, but concrete does crack. Ruacho said staff will be relying heavily on the contractor, who as it turns out is an expert in cement and paving, he strongly recommends going with concrete at CCP.
- The CCP sport court will primarily be a basketball court, so it will have permanent hoops. The pickle ball court will be secondary, so those nets will be portable. The current court at CCP will be totally demolished and rebuilt.
- Since the basketball hoops will be permanent, did someone take in affect the movements of pickle ball players? Ruacho said yes, they have been looking into all aspects of both sports.
- Are there plans to have a canopy/roof over the courts at HRC? Ruacho said not at this time.
- The gravel path from the parking lot to the court will be installed with the project. There is a woodchip path to the court at CCP.

Motion by Councilmember Pearce, second by Councilmember Shepro to authorize the transfer of necessary funds from Church Creek Park to Heritage Park and authorize the Mayor to sign a contract with Judha of Lion Landscaping and Services, LLC for the Heritage Park/Church Creek Park Sports Court project in the amount of \$197,368.47 and authorize a change order not to exceed \$24,541.

Councilmember Pearce said it is great that the work is continuing to be done at the parks. Pickle ball is the fastest growing sport. Years ago, Mr. Kelly at the high school would set up eight courts in the gym when the sport was new, it's a lot of fun, so he is glad to be able to work with the pickle ball folks to give them a place to play here in Stanwood and to draw more people to our parks. Nice job on this project, Carly.

Councilmember Shepro thinks it's a great idea and happy to split the surface types between parks.

Mayor Roberts said it's impressive to have a room full of people back in April asking for pickle ball courts and now council is moving on it to get it done. Very quick turnaround!

Councilmember Metz said the way the differences of the surfaces were presented made sense, but he'd like to know what Hushagen's opinion is. Hushagen said he pictured them all to be concrete when they started working on the project, he said he is fine with two asphalt and one concrete. If nothing else, it will give staff a chance to see if there is a difference in wear between the two.

Roll call of votes was taken. Motion carried unanimously.

12. Public Closing Comments

Cathy Wooten, Stanwood Topic: Appreciation of city staff. She attended the Public Hearing on Hamilton Park and Landing and was very impressed with City Planner Tansy Schroeder.

13. Executive/Legislative Reports

a. Mayor's Report

- Remember to vote! Very important for elected officials to get out there and vote too.
- There will be a Special Workshop on November 3rd at 5:00 p.m. at City Hall.
- Staff and Council have been working very hard on the budget. Several councilmembers have come in and met with Smith for an hour or two. Special thank you to David Hammond, Shawn Smith, Kevin Hushagen and Patricia Love and the rest of the staff for all their work on the budget.

b. City Administrator Report

c. Councilmember Reports/Questions

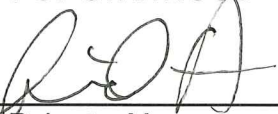
- Ghouls Night Out event is from 2pm-5pm on Halloween, Tuesday, October 31st. Main Street will be closed to traffic from 1pm-6pm.
- There have been complaints about the lack of parking at Heritage Park on Saturdays, please remind people there is parking available next to the library and at Stanwood Middle School, so there is plenty of parking to the south, it's just a little bit of a walk to get to the fields.
- Councilmember Schmitt would like to encourage the Mayor to revive the Nachos with the Mayor program, it was great seeing past mayors eating nachos with all the kids.

14. Recess to Executive Session – None

15. Adjourn

There being no further business before the Council, and hearing no objection to adjournment, Mayor Roberts adjourned the meeting at 8:40 p.m.

CITY OF STANWOOD



Sid Roberts, Mayor

ATTEST:



Lisa Sokolik, City Clerk