

CITY OF STANWOOD
Regular Meeting of the City Council
Thursday, May 11, 2023 – 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, Steve Shepro, Andreena Bergman and Tim Schmitt. The meeting was quorate.

*Motion by Councilmember Metz, second by Councilmember Robb, to excuse Councilmember Tim Pearce. **Motion carried unanimously.***

Also present: City Administrator Shawn Smith, Community Development Director Patricia Love, Finance Director David Hammond, City Attorney Nikki Thompson, Fire Chief John Cermak, Police Chief Jason Toner, Building Official Scott Black, Associate Engineer Alan Lytton, Economic Development and Marketing Manager Sarah Cho and City Clerk Lisa Sokolik.

3. Approval of the Agenda

Mayor Roberts asked Council to amend the agenda by adding item 11e appointing voting delegates to the Association of Washington Cities.

*Motion by Councilmember Robb, second by Councilmember Shepro to approve the agenda as amended. **Motion carried unanimously.***

4. Presentation - None

5. Public Comments - None

6. Staff / Department Reports

Police Compstat Report - April

7. Council Committee Reports

- a. Economic Development Board Meeting Minutes – March 17, 2023
- b. Parks and Trails Advisory Committee Meeting Minutes – March 22, 2023
- c. Planning Commission Meeting Minutes – April 10, 2023
- d. Public Safety Meeting Minutes – April 6, 2023
- e. Public Works Committee Meeting Minutes – May 1, 2023

Council Questions and Comments:

- Councilmember Shepro asked for more information regarding the Church Creek Park Restroom concerns that were discussed at the PWC meeting. Councilmember Gaumond answered that the PWC is discussing and trying to come up with a solution regarding teenagers hanging out in the restrooms for long periods of time. This is an issue for the families with small children who are using the park. Chief Toner said deputies are patrolling the park after school is let out, but surrounding businesses are also having issues with the high school kids hanging out on their property. He noted that he will be having a meeting with the school district to see if anything can be done on their end.

8. Consent Agenda

- a. Approve Vouchers and Payroll Checks
- b. Approve City Council Regular Meeting Minutes – April 27, 2023
- c. Approve Second Utility Account Adjustment
- d. Approve Storefront Improvement Program Grant Applications

*Motion by Councilmember Shepro, second by Councilmember Gaumond to approve the consent agenda items A through C and move item D to new business 11f. **Motion carried unanimously.***

9. Unfinished Business - None

10. Public Hearing

Open Public Hearing

- i. Approve First Reading of Ordinance 1516 Adopting New Title 6 Parks and Public Places, and Replaced Title 9 – Public Peace, Safety and Welfare
- ii. Approve First Reading of Ordinance 1517 Adopting Title 13, Civil Enforcement

Community Development Director Love asked Council to consider three issues for Title 6 Park Rules:

1. How to apply infractions to the park rules? Use a flat rate or a graduating scale?
2. Set Park hours. Should the hours be set as an hour before sunrise and an hour after sunset?
3. Speeding in the parking lots and parks. Should there be different rate for different types of vehicles, or should there be a flat rate?

Love said Title 9 Public Peace, Safety, and Welfare has been completely rewritten but has maintained the majority of what was in the police department enforcement section and added the updated and new state laws. The City Attorney and Police Chief were heavily involved in the rewriting of this title. There are three issues for Council to consider:

1. All nuisance regulations have been moved out of Title 9 and moved to Title 7: Health and Sanitation.
2. The Police Chief is identified as the person hearing any appeals of Title 9.
3. A new regulation regarding use, possession, and depositing of controlled substances.

Love said the title of Title 13 has been changed from Code Enforcement to Civil Enforcement. There are three issues for Council to consider for this title:

1. Cost of Civil Penalties. Use a flat rate or a graduated scale?
2. Who can appeal? The person subject to the violation or others affected by the decision.
3. Standard of review.

Mayor Roberts opened the Public Hearing at 7:27 p.m. With no public comments, Mayor Roberts closed the Public Hearing at 7:28 p.m.

Council asked questions and made comments that Love answered.

*Motion by Councilmember Robb, second by Councilmember Bergman to approve the first reading of Ordinance 1516 as set forth in attachment "A" and to proceed with the second reading of the ordinance on May 25, 2023. **Motion carried unanimously.***

*Motion by Councilmember Metz, second by Councilmember Gaumond to approve the first reading of Ordinance 1517 as set forth in attachment "A" and to proceed with the second reading of the ordinance on May 25, 2023. **Motion carried unanimously.***

11. New Business

- a. Approve First Reading of Ordinance 1518 Amending Chapter 14.04 Uniform Codes - Building and Fire Code Updates

Community Development Director Love said every three years the city goes through a building code update process. Building codes are mandatory, there is no public hearing, and it is a requirement of state law that the city adopt the most updated building codes. This code addresses everything to do with construction of a building, building, fire, plumbing, and mechanical codes.

Building Official Scott Black said there is a new code, the Wildland Urban Interface (WUI) which was adopted in the 2018 inside of the fire code. It has not yet been used as the mapping from the Department of Natural Resources was not finished. DNR finished the mapping in late 2020 but no one wanted to use it, so the state changed it and made it a stand-alone code. This code deals with the separation of structures and brush/timber for fire impacts. This will require some additional construction to mitigate for the potential fire impacts such as exterior of residences to be non-combustible and changing from soffit venting attics to putting ventilation on the lower portion of the roof. This code must be adopted by July 1, 2023. Black answered council questions about the WUI code.

*Motion by Councilmember Shepro, second by Councilmember Metz to approve the first reading of Ordinance 1518 as set forth in attachment "A" amending Chapter 14.04 of the Stanwood Municipal Code, Uniform Codes, and proceed with the second reading and adoption of the Ordinance on May 25, 2023. **Motion carried 5 yea and 1 nay.***

- b. Authorize the Use of a Vehicle for the Volunteer Citizen Patrol Program and Authorize the Purchase of a Replacement Vehicle

City Administrator Smith said this item has been to the Public Works Committee. The timeline to purchase a vehicle can take up to a year, so the proposal is to have the Citizen Patrol take over the 2014 Ford Escape which is scheduled to be replaced in 2024 and start the order process now. The Escape is in good condition with very low miles.

The program will be modeled after the Snohomish County Sheriff's Office Citizen Patrol program and operate under the Stanwood Police Chief with his training and guidance.

Chief Toner said there are two benefits of this program: 1. The civic aspect, this program will give citizens another option to volunteer in the community besides joining a committee and 2. Will give the police another set of eyes on the streets. There is a lot of training involved for this program.

Council Questions and Comments:

- How will the radar speed checks work from a non-officer? Toner said it would not be enforcement, but rather placement of the radar trailer, usually Public Works moves the radar trailer for the officers, so now the citizen patrol could do it.
- Will this require any modifications to the Ford Escape? Smith said, just the removal of the city decals and adding decals for the citizen patrol.
- Can anyone volunteer for the program? Toner said yes, but everyone will go through a background check.

*Motion by Councilmember Robb, second by Councilmember Gaumond to authorize the use of the 2014 Ford Escape for the Citizen Patrol Program and purchase a replacement vehicle immediately. **Main Motion carried unanimously.***

- c. Authorize the Mayor to Sign a Contract with Dawson Construction for the 92nd Ave Sidewalk Project.

Associate Engineer Alan Lytton said we received 8 bids for this project. The engineer's estimate was \$300,000 and Dawson had the low bid of \$246,700. The 10% contingency will cover any unknowns that may come up.

*Motion by Councilmember Metz, second by Councilmember Robb to authorize the mayor to sign a contract with Dawson Construction, LLC to complete the 92nd Ave NW Sidewalk project for \$246,700 with a \$24,670 construction contingency. **Main Motion carried unanimously.***

- d. Adopt Resolution 2023-07 Financial Management Policy Update

Finance Director Hammond discussed the highlights of the three recommended changes to the Financial Management Policy.

1. Investment Policy Section
2. Debt Policy Section
3. Change to procurement of information technology section

The investment policy and debt policy were discussed by Finance Committee in March and April.

Council Questions and Comments:

- Kudos for getting recognition from the WPTA.
- Has the city ever used Local Improvement Debt? Hammond said yes, and it was paid off in the '90s.

*Motion by Councilmember Robb, second by Councilmember Bergman to adopt Resolution 2023-07 updated Financial Management Policy. **Main Motion carried unanimously.***

e. Association of Washington Cities Voting Delegate

Hammond highlighted the tremendous value the city receives from AWC: training opportunities, numerous publications, elected official's guide, a lot of information on their website, conduct significant training and budget conferences, labor relation conference, AWC trust health and wellness programs, drug and alcohol testing program, safety alliance, and more. The annual membership dues is \$6,219. AWC is governed by elected officials and organized in 14 regional districts as well as having 4 at large positions. Elections will be June 22nd at 4:00 pm at their annual conference. The city is allowed to appoint three voting delegates. If any councilmember would like to be appointed, please talk to the mayor. The mayor asked councilmembers to contact him by May 19th if they are interested.

No Action.

f. Approve Storefront Improvement Grants

Economic Development and Marketing Manager Sarah Cho presented the five applications received for the Storefront Improvement Project. Cho said the city is receiving tremendous positive feedback from business and property owners. Staff has met with all five applicants to make sure they are proposing eligible projects, help with permitting and code requirements, and to answer any questions. The applications have all been reviewed and approved by the Economic Development Board. There was a wide range of projects, new signage, new doors and windows, street scaping, and paint.

Staff asked applicants if there was anything that was not included in the grant program that they'd like to see. The three questions will be brought to the Community Development Committee for recommendation:

1. Should the school district be allowed to apply since the Middle School is on 271st Street?
2. What should the labor match be capped at? Currently, there is no cap.
3. Can security cameras be allowed use?

Council Questions and Comments:

- Question about the scope of the intent of the grant program and that Jimmy's Pizza's storefront is not on main street but facing SR532. Cho said the initial

proposed program was intended for storefronts along 270th and 271st but after meeting with property and business owners it was deemed that it was important to include all businesses located downtown. Jimmy's is facing SR532 but is a very visible business.

- Was hoping to see more businesses that really need the grant to improve their storefront, these applicants are not even that bad. Need to reach out to businesses that are in dire need of improvement to make sure they are aware of the grant opportunity.
- Mammoth Burger is requesting steel planters and bistro tables and chairs, will that interfere with pedestrian passage? Cho answered that they do make sure any of those elements are not in the right-of-way.
- Should furniture be allowed use? Cho answered that furniture is part of the streetscape category.
- Concern with only \$90,000 per year given out, would like to see more businesses along the Twin City Mile get priority over businesses not facing 271st and 270th. Cho said they can bring this comment to the Community Development Committee for consideration and if it that lowers the priority of any applicant, they can discuss with the Economic Development Board. Smith added that the program was approved with the map of the zone by Council so the program would need to be looked at as it was set to inspire all of downtown to look better. Love added the original boundary was set small focusing on 271st, 270th, 88th, 92nd and 102nd and as the program went through committees and council, Council asked for the boundary to allow for more opportunities. This is our pilot program so the boundary and priorities can be brought back to the Community Development Committee to discuss.
- Would like to prioritize businesses that need maintenance.
- Great to hear all the interest.
- The \$90,000 does look a little tight. Security cameras and a new door seems more like maintenance than what the intent of 'preserving and enhancing the charm' so when making tweaks to the program consider less maintenance requests.
- Take in consideration of repeat applicants, give everyone a chance.
- Would consider allowing the Stanwood Middle School to use the grant for paint since it's a large building on Main Street.
- The School District has more money than the City so why would we give a grant to the school district?
- How many applications have been received? Cho said five complete applications have been received and four more are working to get them completed by the next Economic Development Board meeting in June.

*Motion by Councilmember Robb, second by Councilmember Shepro to approve consent agenda item d. **Main Motion carried unanimously.***

12. Public Closing Comments - None

13. Executive/Legislative Reports

a. Mayor's Report

- Attending the PRSC Annual General Assembly on May 30th. Councilmembers are welcome to attend, it's a two-hour meeting in Seattle at Pioneer Square.

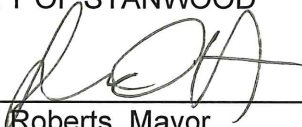
- June 25th is the Twin City Idlers Car Show.
- b. City Administrator Report
- Happy Mother's Day!
 - It's the first-year anniversary of the approval to form the Parks Team. The parks are looking wonderful and hearing great things about the baseball and soccer fields. Staff is working on a more formal update.
 - Next week bids will be opened for the 80th St Sidewalk Improvement project and the First phase of the Twin City Mile project (92nd and 271st intersection).
- c. Councilmember's Report/Questions
- Happy Mother's Day, it's going to be nice!
 - It's exciting to see projects under construction and to see the Storefront Improvement Program underway.
 - Appreciation to the Planning Commission for all the work they do and for meeting with Council tonight for the special workshop to talk about the Comprehensive Plan Update.
 - Can Council get an update on the progress of the flood wall?
 - Sent an email to Public Works to get an extra street cleaning on 271st for the upcoming Pickers Market. Was very happy and excited to see that they were out the very next morning before 8:00am sweeping. Thank you Public Works for your prompt service!
 - Thank you to Public Works for putting on the Clean Sweep Event.

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 9:05 p.m.

CITY OF STANWOOD



Sid Roberts, Mayor

ATTEST:



Lisa Sokolik, City Clerk