

CITY OF STANWOOD
Regular Meeting of the City Council
Thursday, May 25, 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 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, Tim Pearce, Andreena Bergman and Tim Schmitt. The meeting was quorate.

*Motion by Councilmember Robb, second by Councilmember Gaumond, to excuse Councilmember Steve Shepro. **Motion carried unanimously.***

Also present: City Administrator Shawn Smith, Community Development Director Patricia Love, Public Works Director Kevin Hushagen, City Attorney Nikki Thompson, Fire Chief John Cermak, Police Chief Jason Toner, Finance Manager Wendy Dowhower, Associate Engineer Alan Lytton, Sgt. Adam Wirth, City Planner Tansy Schroeder, City Clerk Lisa Sokolik, and Utility Supervisor Leigh Danielson attended via Zoom.

3. Approval of the Agenda

Mayor Roberts asked Council to amend the agenda by removing item 9a Approve Second Reading of Ordinance 1518 Uniform Codes - Building and Fire Code Update.

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

4. Presentation - None

5. Public Comments

Verbal Comment:

Cathy Wooten, Stanwood

Topic:

Likes the red color added to the stop signs.
Excited for the 80th Ave Sidewalk Project.

6. Staff / Department Reports

Finance Q1 Report

Council Questions and Comments:

- Councilmember Schmitt asked if there was any concern over getting slightly less fuel tax. Dowhower answered that the Finance Director is aware of this issue and is watching it, but there is not a solid plan in place yet.

7. Council Committee Reports

- a. Salary Commission Meeting Minutes – May 16, 2023
- b. Parks and Trails Advisory Committee Meeting Minutes – April 22, 2023

8. Consent Agenda

- a. Approve Vouchers and Payroll Checks
- b. Approve City Council Regular Meeting Minutes – May 11, 2023
- c. Approve City Council and Planning Commission Joint Meeting Minutes – May 11, 2023
- d. Approve Inland Steel PUD Easement

*Motion by Councilmember Metz, second by Councilmember Pearce to approve the consent agenda items A through D. **Motion carried unanimously.***

9. Unfinished Business

- a. Approve Second Reading and Adopt Ordinance 1518 Amending Chapter 14.04 Uniform Codes – Building and Fire Code Updates

Item was removed from agenda.

- b. Approve Second Reading of Ordinance 1516 Adopting New Title 6, Parks and Public Places, and Replaced Title 9 – Public Peace, Safety and Welfare

Community Development Director Love gave an update/responses to the questions that were raised during the first reading.

Title 6:

- A definition of Public Spaces has been added to 6.40.020.
- Park hours are set at one hour after sunset and one hour before sunrise.
- Failing to pick up pet waste in parks has been added as a new unlawful act.
- No change regarding camping in parks since it is illegal to be in parks after closing hours without written permission.
- Speeding in parks has been raised to a Class 1 infraction of \$250.

Title 9:

- Possession and use of controlled substances: The state held a special session where they passed a new law regarding possession of controlled substances. An easy fix to this section is to delete the changes and just reference the new RCW.
- Can the language be updated in the Leaving a Child Unintended in a Vehicle section? Proposed language is 'It is unlawful for a person having the care and custody, whether temporary or permanent, to leaving a child under the age of eight years in a parked automobile unattended by another responsible person of at least 12 years of age for more than 10 minutes.'

- Can the City double the fine for possession of drug paraphernalia in a drug free zone? This change was added to the second draft but will need to be rescinded as the city's fines are already set at the maximum set by state law.
- Should parents be held responsible for crimes committed by minor children? There is already a state law, RCW 4.24.190 that deals with this issue.
- Should there be restrictions on camping in Stanwood? There are already sections in the code that address camping, such as in the Park Rules section which sets limits for park hours and the section that restricts impeding pedestrian walkways, both are enforceable by our police department.

Council Questions and Comments:

- Need clarification on the wording in the 'leaving a child unattended in a vehicle' section, it is worded like you can leave a child in the car for 10 minutes. Love said she will work on simplifying the wording for the third reading.
- Question about eleven-year old's, they are not old enough to supervise but old enough to be in the car alone.

*Motion by Councilmember Metz, second by Councilmember Robb to accept the second reading of Ordinance 1516 as set forth in attachment "A" and proceed with the third and final reading on June 8, 2023. **Motion carried unanimously.***

c. Approve Second Reading of Ordinance 1517 Adopting Title 13, Civil Enforcement

Community Development Director Love said she is not proposing any additional changes to title 13. Titles 6, 9 and 13 are bundled together so all three need to be adopted together.

There were three items that were discussed at the May 11, 2023, meeting and have been incorporated into this draft:

- A flat rate civil penalty of \$100.00 per day per violation is proposed.
- Only those subject to the administrative order may appeal.
- The standard of review for appeals has been retained as "the appellant bears the burden of proof" and criteria for which the Hearing Examiner may grant relief from the administrative order has been retained.

*Motion by Councilmember Robb, second by Councilmember Pearce to accept the second reading of Ordinance 1517 as set forth in Attachment "A" and to proceed with the third and final reading of the ordinance on June 8, 2023. **Motion carried unanimously.***

10. Public Hearing - None

11. New Business

- Authorize the Mayor to Sign a Contract with Colacurcio Brothers Construction for the 80th Ave NW Sidewalk Project

Associate Engineer Lytton said nine bids were received for this project, the low bid was below engineer's estimate. Colacurcio Brothers, Inc. has previously done projects for the city.

*Motion by Councilmember Pearce, second by Councilmember Bergman to authorize the Mayor to sign a contract with Colacurcio Brothers, Inc. for the 80th Ave NW Sidewalk project for \$449,600 with a \$44,960 construction contingency. **Motion carried unanimously.***

b. Authorize the Mayor to Sign a Contract with In-Depth Excavation for the Twin City Mile Phase I Project

Associate Engineer Lytton said this is a beautification project that is part of the Twin City Mile project and is on the Capital Improvement Projects (CIP) list. Six bids were received with the low bid below the engineer's estimate.

Council Questions and Comments:

- Will the medians cause issues for big trucks trying to make the turn? Lytton said the median towards the north is flush so trucks can drive over them and the median towards the east is flush until the first tree and the curbs will be pulled back 3 to 4 feet to increase the turn radius.

*Motion by Councilmember Gaumond, second by Councilmember Metz to authorize the Mayor to sign a contract with In-Depth Excavation for the Twin City Mile Phase I project for \$1,173,624.50 with a \$117,362 construction contingency. **Motion carried unanimously.***

c. Adopt Resolution 2023-08 Fee Schedule Update – Body Camera Fees

Police Chief Toner said this year all Stanwood officers will wear a body camera. Part of the process for the police records clerk is to provide public records per the Public Records Act, which includes redacting certain information, which is very time consuming for videos.

Council Questions and Comments:

- What type of information can be redacted? Toner said driver's license, social security numbers, address, criminal history, information not generally open to the public, non-involved juvenile information and any audio that has sensitive information all must be redacted. There is software that helps with redactions, but it is only 60% accurate so the records clerk must watch the full video and make additional redactions.
- Besides the organizations listed in the proposed fee schedule, are there any other organizations who are exempt from paying the fee? Toner said the exemptions are listed in the RCW.

*Motion by Councilmember Metz, second by Councilmember Gaumond to approve Resolution 2023-08 updating the Consolidated Fee and Charge Schedule effective May 25, 2023. **Motion carried unanimously.***

12. Public Closing Comments - None

13. Executive/Legislative Reports

a. Mayor's Report

- Still need two delegates for the AWC Business meeting on June 22nd. The meeting will be over Zoom from 4:00pm–4:45pm. They will be discussing some important issues, so let the Mayor know by Monday if interested.
- Enjoyed meeting Chaim Bezalel and Yonnah Ben Levy, at the Bezalel-Levy Stanwood House open house, it's a fun place to see great art.
- The Mayor will be attending the annual PSRC meeting in downtown Seattle in Pioneer Square on May 30th, if anyone would like to attend let him know.

b. City Administrator Report

- Thanked Miriam Schadle, owner of the bowling alley and the Jones Family for working with the city to allow acquisition of right-of-way for the sidewalk projects.
- Farmers Market starts next week.
- Honor Memorial Day on Monday, city offices will be closed.

c. Councilmember's Report/Questions

- Support our local farmers at the Farmer's Market.
- Consider wearing a poppy in support of Memorial Day.
- Councilmember Robb attended the Building Bridges Community Engagement Event hosted by Snohomish County Councilmembers Nate Nehring and Jared Mead. It was interesting and a good discussion on national and regional issues, he encourages everyone to attend the next event.
- Excited to see all these projects being scheduled, especially that they are coming in under budget.
- Remember that Memorial Day is to honor those who sacrificed their lives for our country and for our freedom.

14. Recess to Executive Session

At 7:50 p.m., the Mayor, Council, City Administrator Smith, and City Attorney Thompson recessed to Executive Session for a 15-minute discussion on property acquisition in accordance with RCW 42.30.110(1)(b), no action was taken. The regular city council meeting reconvened at 8:05 p.m.

15. Adjourn

There being no further business before the Council, and hearing no objection to adjournment, Mayor Roberts adjourned the meeting at 8:06 p.m.

CITY OF STANWOOD



Sid Roberts, Mayor

ATTEST:



Lisa Sokolik, City Clerk