

CITY OF SULTAN COUNCIL MEETING – May 25, 2023

Mayor Wiita called the regular meeting to order at approximately 7:00 p.m. The meeting was a hybrid with attendees both in person at City Hall Council Chambers and via Zoom Internet Conference Service. Mayor Wiita called roll and the following were in attendance:

Councilmembers: Morgan, Aldrich, Dearborn, Hund, Dawson, Sivewright, and Beeler.

Noted Beeler entered at the beginning of the first presentation at approximately 7:03 p.m.

Staff: City Administrator Ibershof, Community Development Director Hart, Building Official Marshall, Interim Chief Alanis, and City Clerk Pevey.

CHANGES/ADDITIONS TO THE AGENDA

On a motion by Councilmember Dearborn, seconded by Councilmember Aldrich, the council added the following items to the agenda. Motion passed 6-0.

- Add Action Item #8, AB23-40_Snohomish Co Grant Application for Crosswalk Improvements.

PRESENTATIONS

AB22-86_2023 Legislative Session Wrap-Up_City Lobbyist Update

Full presentation on file with the city clerk's office

Holly Cocci, GTH Government Relations referenced the thirteen-page end of session report released to the city May 24, 2023, and recapped the out of the city priorities addressed during the recent state legislative session to include, but not limited to:

- US 2 Improvements
 - The city requested \$5 million for design and ROW acquisition to begin the first phase of improvements to US-2 in Sultan. Sultan Basin Park. Unfortunately, the enacted transportation budget did not include the city's project request. The city and GTH will continue to work with budget leadership and the delegation to push for future investments along US 2 in Sultan.
- Sultan Basin Area Park
 - The city requested \$500,000 to help construct basic amenities for Sultan Basin Park. Since the park is located within the 12th legislative district, both Senator Hawkins and Representative Steele sponsored the formal funding request on behalf of the city. The Legislature's enacted capital budget provides the requested \$500,000 for Sultan Basin Park through the Department of Commerce's Local and Community Projects list!
- Public Safety
 - Vehicular pursuits:
 - Provided an update on the situation and Senate Bill 5532 and companion bill HB 1363 which lowers the evidentiary threshold for engagement in vehicle pursuits in certain situations that meet specific thresholds.
 - State v. Blake/*possession of controlled substances*
 - Proposals introduced included SB5035, SB5467, SB5624, & SB5536 with none being successful, therefore Governor Inslee has called for a special session to convene on May 16th with a striking amendment to SB5536 ultimately passing. Discussion on the changes and confirmation that AWC will be hosting a webinar on June 6th regarding the updated drug possession bill to help cities understand the implications.

Cocci updated the city on various other legislation passed that will affect the city as well during the presentation. The council thanked Cocci and the team at Gordon Thomas Honeywell for their hard work.

AB23-35_Proposed SMC Building and Fire Code Updates

Community Development Director Hart and Building Official Marshall presented the Wildland Urban Interface (WUI) and Energy building code updates going into effect this year. WUI requirements focus is that the exterior of a structure be ignition resistant during a wildfire. Discussion on the various zones and the effects shared with council to include an explanation that red zone is

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good, and no changes required; yellow and green zones will have more restrictive requirements on roofing, decks, vegetation management plan, and other elements affected in building and remodeling. Staff explained that simple repairs would then trigger them to bring the entire structure up to compliance as the new code does not allow any grandfather clause for previously built structures. City staff have started the review process and the effects on city owned land and properties to help understand impacts to residents and area builders.

Energy Code updates explained to include restricting the use of natural gas as a primary source energy source done through a point system and project owners can decide how to reach the point system requirements; this includes impacts on heat pump requirements; small additions; energy code credit changes; residential home air leakage; EV charging stations; lofts, as well as other various elements.

Discussion on various items such as if there is a remodel amount triggering to bring current structures up to code; impact of code changes; and impact on staffing levels to include this review during the permitting process. Staff confirmed they will be watching the impacts on staff and are aware it will be more review intensive, and it is anticipated it will extend timelines and number of site trips to ensure buildings are completed properly. Also confirmed that plan review done by staff will include confirming the energy code requirements and points systems are met.

Confirmation that staff will be working on public outreach to inform the public and work with those in the community who have questions about the changes being implemented.

COMMENTS FROM THE PUBLIC

Ron Kraut, Sultan – Written comments received expressing concerns regarding the Housing Action Plan.

Judy Heydrick – Written comments expressing concerns regarding the Housing Action Plan

Colleen Rupke, Sultan – Written comments expressing concerns regarding transportation facilities level of service

Remmin Crowley, Sultan: Referenced fire and energy code updates discussed a California fire and that environmental agencies in that state at that time placed heavy restrictions on fire breaks; questioned current Washington state laws regulating fire breaks.

COUNCILMEMBER COMMENTS

Councilmember Morgan expressed appreciation for information presented earlier in the meeting; Sultan Education foundation held a successful Battle of the Badges softball game between police and fire on May 21st which raised \$3,500 for student scholarships. Councilmembers Aldrich, Dearborn, Hund, and Dawson echoed the sentiments expressed.

Beeler: Thanked staff for presentations and understands state code updates are mandates that cities are forced to adopt and implement; appreciated new sidewalk areas installed on the Sultan Basin Road and interested in seeing additional sidewalk connections in that area; appreciate hard work of staff to keep the parks and city owned properties maintained; hopeful for additional park levy funding council is currently discussing.

MAYOR COMMENTS

Mayor Wiita advised he attended a leadership meeting earlier today and was confirmed there are a lot of community events coming during the summer to include, but not limited to a VOA Pancake Breakfast and Plant Share; School graduations; Advisory Committee assessing needs for the community and may lead to a potential school bond levy; farmers market started last weekend and a reminder that the season is early and may not see a large amount of produce but will be coming as the season progresses. Library planning summer activities as well.

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CITY ADMINISTRATOR COMMENTS

City Administrator Ibershof advised the city is interviewing for seasonal employees to assist with additional summer maintenance needs; 124th Street has streetlights installed thanks to PUD. He encouraged citizens and HOA groups to file a special event permit for your upcoming 4th of July events or other neighborhood events planned during the summer. Reminded council the next council workshop will be focused on emergency management planning. Finished by stating high school graduation set for June 10th and school will be done for the summer on June 21st.

STAFF REPORTS

Written reports submitted and on file for: 1) Public Works, and 2) Police.

CONSENT AGENDA

On a motion by Councilmember Morgan, seconded by Councilmember Aldrich, the council approved the amended consent agenda to include the following items: Motion passed 7-0.

- 1) Voucher & Payroll thru 5/25/2023
- 2) 5/4/2023 Council Workshop Minutes
- 3) 5/11/2023 Council Meeting Minutes

ACTION ITEMS

AB22-26_Resolution 23-06_ARPA Fund Allocation

On a motion by Councilmember Morgan, seconded by Councilmember Aldrich, the council approved Resolution 23-06 outlining the allocation of ARPA resources for the community; Motion passed 7-0.

AB23-30_Snohomish County Road Maintenance Agreements

During the discussion the council questioned road striping and how middle turn lane was created in new development Sultan Basin Road and 132nd with a dedicated turn lane; hoping that will be corrected to be consistent thru town and not be dedicated left only. Staff confirmed it was done in error and will be addressed and corrected by the developer. On a motion by Councilmember Morgan, seconded by Councilmember Beeler, council authorized staff to sign Road Maintenance Agreements with Snohomish County for striping on Sultan Basin Road for an amount not to exceed \$24,000.00 (which includes a 10% contingency) without prior authorization from council; Motion passed 7-0.

AB23-36_Ordinance 1388-23 creating SMC 3.27 re: Compost Procurement

On a motion by Councilmember Morgan, seconded by Councilmember Aldrich, council adopted Ordinance 1388-23 creating SMC 3.27 regarding compost procurement; Motion passed 6-1.

AB23-31_Bid Award to Replace Two Street Lights at the US 2 Roundabout

On a motion by Councilmember Morgan, seconded by Councilmember Aldrich, council awarded the bid to Service Electric Company Inc. to replace two streetlights at the roundabout for an amount not to exceed \$22,000.00 (which includes a 10% contingency) without prior authorization from council; Motion passed 7-0.

AB23-32_Purchase a Variable Message Board

On a motion by Councilmember Morgan, seconded by Councilmember Aldrich, council approved staff to purchase a Variable Message Board from National Barricade for an amount not to exceed \$23,200.00 (which includes a 10% contingency) without prior authorization from council; Motion passed 7-0.

AB23-37_Interlocal with WSIPC

Administrator Ibershof explained this interlocal would allow the city to utilize government contract pricing to purchase security system upgrades. On a motion by Councilmember Morgan, seconded by Councilmember Aldrich, the council authorized the mayor to sign the Interlocal Agreement between WSIPC and the City of Sultan; Motion passed 7-0.

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AB23-38_Security Equipment Purchase from Security Solutions

On a motion by Councilmember Morgan, seconded by Councilmember Aldrich, council authorized the Mayor to sign the proposal from Security Systems for an amount not to exceed \$77,019.89 without council approval; Motion passed 6-1.

AB23-40_Snohomish County Grant Application for Crosswalk Improvements

On a motion by Councilmember Morgan, seconded by Councilmember Hund, the council approved the Mayor to sign a grant application with Snohomish County for crosswalk improvements; Motion passed 7-0.

DISCUSSION ITEMS


AB23-39_OPMA/PRA Refresher Training

City Clerk Pevey provided the council with a refresher training and update on city policies affecting councilmembers, Open Public Meeting Act (OPMA) (RCW 42.30), and Public Records Act (PRA) (RCW 42.56) per RCW 42.3.205(1) which requires this training 90 days after assuming office and must be renewed every four years. Pevey also provided council with an update of next steps in the clerk’s office regarding records oversight as follows:


- **Updating Ordinances and Polices:** GOAL: Ensure records not lost in a disaster or during a simple staffing change.
- **Paper Records:** Major Clean-up in 2020 – 2022; First Annual Purge scheduled for Late Summer/Early Fall; First Paperwork transition to archives schedules shortly thereafter.
- **Electronic Records:** Review started, and city staff identified need for Electronic Content Management System. Staff in process of submitting a grant application to State Archives for potential funding.
- **Public Records Tracking Software:** JLARC Reporting required when city hits \$100,000 in public records request response costs. The city is nearing that mark and will review options for the 2024 budget cycle.

ADJOURNMENT

On a motion by Councilmember Morgan, seconded by Councilmember Aldrich, the council meeting was closed at approximately 9:02 pm. The Zoom meeting connection was disconnected shortly thereafter.



 Russell Wiita, Mayor

DocuSigned by:


 Tami J. Pevey, City Clerk