

**CITY OF SEQUIM
CITY COUNCIL MEETING MINUTES
SEQUIM CIVIC CENTER
152 WEST CEDAR STREET
SEQUIM WA
July 8, 2019 CORRECTED**

WORK SESSION

1. Team Decision Making

Charlie Bush discussed his studies at Harvard, stating that: Some decisions are hard to make, and many are made in groups; better decisions are made when groups utilize diversity; group members have different backgrounds and perspectives; groupthink occurs when people want their views to conform with those around them; causes of groupthink include failure to encourage dissent and share information, polarization, and making decisions too early.

City Manager Report

Bush stated that the Carrie Blake Park docent program was flagged by WCIA during a recent audit and the program has been placed on hold.

Regarding Council's preliminary broadband assessment goal, the City is coordinating regionally on an opportunity where NODC would administrate a grant; the total need is about \$26,000; contributions could be split on a per-capita basis, with Sequim contributing \$5,000; the County will provide \$10,000; staff will bring an interlocal agreement forward to Council; and, any agreement must be presented to CERB before any grants can be authorized. Miller stated that more competition is needed, and Bush stated that PUD has fiber with nine providers offering services on it. Lake asked if the library may be a stakeholder, and Bush agreed.

INFORMATION

Committee, Board and Liaison Summary Reports

Lake stated that he attended a Peninsula Emergency Preparedness meeting where he learned of a volunteer that responds to emergencies in a private organization, and that he discussed the mesh network which would be used to connect in the event of an emergency.

States stated that she attended the NODC meeting June 27th where a memorandum was signed between the Federal SBA, NODC, and USDA for joint promotion to leverage support for small businesses, and that USDA is offering joint sessions for rural Washington small business development.

Pratt stated that she attended the 1st Friday Art Walk. Art Commission member Susan Mollin organized the speakers, and Christopher Enges spoke about videography work done utilizing drones.

Armacost stated that he also attended the 1st Friday event. The theme was purple, there was a

diverse range of artists, people in the Council Chambers were working hands-on, and the event was well attended.

Student Liaison Report

Hannah Hampton stated that she is excited to work with the Council.

Presiding Officer Report

Smith reported on Coffee with the Mayor in June: Attorney Nelson-Gross, Chief Crain, and Operations Manager Ty Brown were there. About sixteen members of the public attended. Nelson-Gross provided information on quasi-judicial procedures, Brown spoke about last winter's snow events, and Crain answered questions about the condition of the lot at the corner of 3rd Avenue and Washington Street.

REGULAR MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Armacost, Janisse, Lake, Miller, Pratt, Smith, States.

CHANGES TO THE AGENDA

The City Manager Report and the Committee, Board and Liaison Summary Reports were addressed during the Work Session.

CEREMONIAL

None

PUBLIC COMMENTS

Bush asked the audience how many had come to speak about a potential Jamestown S'Klallam Tribe facility (Medically Assisted Treatment), and most raised their hands. Bush stated that the decision-making body for such a project could be the Planning Commission; however, the City has not received an application.

Berezowsky stated that he has met with a representative of the Tribe and OMC. About three weeks ago City, Fire Department, and Tribal staff met and discussed feasibility aspects of a potential project behind Costco. It is typical to have informal meetings. Sometimes an application is later received, other times not. 14-17 beds might be proposed for the 1st phase, but the project is not fully funded. If the City were to receive such an application, a notice would be published in the newspaper, on the City website, mailed to nearby property owners, and a sign posted on the property providing information about a public comment period and a public hearing. If such a project were to move forward it would be funded in part by the State. If the City were to receive an application for such a project, a design review would be done to determine if the proposal met City requirements under a "C-1" process. The

Planning Commission would be the decision-making body.

A person asked if zoning could be changed to prevent such a project, and Nelson-Gross stated that the City has an obligation under the law to allow for siting of those types of facilities. Zoning is designed to agree with the Comprehensive Plan, for which there was ample opportunity to provide input. There is a process for zoning change requests under Sequim Municipal Code (SMC) 18.88.

A person asked about a newspaper article that was published, and Bush stated that he spoke with a reporter. The State legislature allocated some funding, and an article was written.

A person stated that homeless people are bused to Sequim from Seattle, and Bush stated that the City has not been able to confirm that rumor.

A person stated that land behind Costco was purchased by the Tribe, and Bush stated that people purchase property; however, the City has not received an application.

Lake stated that it is good for people to express their opinions, and that the Planning Commission would hear those comments.

Berezowsky explained the Growth Management Act, stating that laws govern what the Planning Commission and City Council can do, and SMC Chapter 18 lays out the process for Comprehensive Plan and zoning changes.

A person stated that she would like to hear from the people in the audience.

Nelson-Gross asked Berezowsky if there is any scenario where the City Council could be the decision-maker for such a project, because if so, that would be a quasi-judicial process. Berezowsky stated that if a project required a Special Use permit the Council would be hearing it, and if a project was heard by the Planning Commission then the Council would be the appeal authority.

A person read aloud from a newspaper article some of the criteria used to evaluate certain development applications.

A person asked about the nature of Berezowsky's meeting with OMC and the Tribe, and Berezowsky stated they had questions regarding the feasibility of a potential project.

Janisse asked if a moratorium was appropriate, and Nelson-Gross stated that she cannot give an answer to the question at this point.

Lake asked the audience if all were against the potential project and based on responses it appeared that most were.

Bush stated that there is a possibility this could become a quasi-judicial matter before Council in the future, therefore staff recommends discontinuing the conversation at this time.

A person stated that she wanted to hear the opinions of Council members, and Nelson-Gross stated that it is not advised because Council could be hearing this matter in the future.

A person asked if those who had signed in to make public comments could speak, and Nelson-Gross stated that a public notice would be issued announcing an appropriate time to make public comments, that the Council can close public comment if it is not part of a public hearing, and that there is no public hearing on tonight's agenda for this topic. She asked members of the group not to have outbursts and to be respectful.

Bush stated that the City would issue a press release notifying the public of a time and place for a meeting to be held to discuss this topic in a more appropriate venue. The audience collectively asked "when", and Bush stated that it would be in the month of July.

Smith stated that opinions have been heard tonight and through numerous phone calls and emails, but he would not make a decision based on hearing from just one side, and that we should move forward with tonight's agenda.

A person stated that she is an RN and has done work related to methadone clinics, that she saw an outpatient treatment program that was successful, that drug use is a problem in Clallam County, and that we've got to figure out a way to treat people so they don't rob, get overdosed, and fill up emergency rooms.

Smith called for a 5-minute recess, stating that the agenda would move on when the meeting resumed.

PUBLIC HEARINGS

(Legislative)

2. Mid-Year 2019 Proposed Budget Amendments and Ordinance No. 2019-008 Authorizing Unforeseen Expenditures for 2019

Hagener presented, stating that the proposal includes a request for two FTEs, an update of the salary and wage schedule, equipment purchases that came in 2018 but were actually paid in 2019, and costs related to last winter's "snowmageddon".

MOTION to adopt Ordinance 2019-008 authorizing unforeseen expenditures for the 2019 budget made by Miller; second by Lake. Carried unanimously.

(Quasi-Judicial)

Janisse asked if having attended the Planning Commission meeting where the next two items were heard constitutes a fairness issue. Nelson-Gross asked Janisse whether he offered his opinion during the meeting and if he spoke with anyone before, during, or after, and he stated that he had not. Nelson-Gross stated there should not be a problem because the only reason this is before Council is due to the re-zone aspect. Janisse stated that nobody spoke against the re-zone at the Planning Commission meeting, but he would recuse himself for the Littlejohn hearing (Item 4).

3. Burrowes Site Specific Rezone Application (OZM 19-001)

Smith asked if any members of the audience wished to challenge, on appearance of fairness grounds, participation in this matter by any members of the Council; there was no response.

Woolett stated that the application is for a Type One amendment, a C2 process, that it went to Planning Commission for recommendation, and is now before the Council for a decision. On the Comprehensive Plan map, both parcels are located in the Downtown District. There is no project currently associated with this, and any future proposals will go through an appropriate review process. The proposal meets the City's criteria, and staff recommends approval. Miller asked Woolett if anyone was opposed, and Woolett stated that he does not recall hearing any opposition.

MOTION to approve the Burrowes Site Specific Rezone application (file No. OZM 19-001) made by Pratt; second by Janisse. Carried unanimously.

MOTION to adopt Ordinance No. 2019-012 Ordinance made by States, second by Janisse. Carried unanimously.

4. Littlejohn Housing Preliminary Major Binding Site Plan Application (BSP 19-001)

Janisse stated that he would abstain from this decision due to his attendance at the Planning Commission meeting. Nelson-Gross noted for purposes of the record that, based on what Janisse described previously, Janisse attended the Planning Commission meeting but did not advocate in any way for one decision or the other, and did not speak with anyone before, during, or after, that he is not required to abstain, that there is no appearance of fairness issue, and that she would leave that to Council. Council concurred that there was no need for Janisse to recuse himself, but they would leave it up to him. Pratt pointed out that Janisse is the Council's liaison to the Planning Commission, and that is why he attended the Planning Commission meeting. Janisse stated that was true, but that he tends not to attend

when quasi-judicial items are heard so that he is hearing those items at the Council meeting only.

Smith asked if any members of the audience wished to challenge, on appearance of fairness grounds, participation in this matter by any members of the Council; there was no response.

Woolett presented, stating that a binding site plan is for the purpose of the division of property for a purpose. This property will be divided for lease, not for ownership. The parcel is in the Lifestyle District and will be improved to City standards. Plans include several duplexes, triplexes, and a single-family home. The street will be City owned and maintained; parking lots will be privately owned and maintained; many existing trees will remain. The proposal meets current zoning standards. Input was received at the Planning Commission meeting. Staff recommends that Council approve the proposal as amended, with the deletion of Department of Community Development (DCD) Condition No.16 (regarding a requirement for a "continuing conversation with the residents as to a satisfactory conclusion on fencing or a buffer zone").

Nelson-Gross stated that the motion she would ask Council to recite is the one shown on the cover sheet (which includes the deletion of DCD Condition No.16).

Miller stated that the Planning Commission made a good-faith recommendation for DCD Condition No.16, and DCD has given their opinion why that condition shouldn't be included, but the arguments that the Planning Commission had were not included in the agenda packet. Woolett stated that the Planning Commission did a great job but staff felt that it is outside of our legal abilities to add Condition 16 because there is currently no such City requirement.

Pratt asked why the word "employee" was removed from the project title "Littlejohn Employee Housing". Woolett explained that the word was removed because, although Mr. Littlejohn intends to provide an affordable alternative to employees, that is not binding on the land forever and that we cannot exclude certain families from rentals.

Pratt stated that we need affordable housing and asked why that becomes unattractive. Woolett stated that the phrase "affordable housing" has different meanings, and that he would call this a "more affordable alternative". There is a need and the lack of it is starting to become exclusive. Nelson-Gross stated that under the law there is a specific definition of "affordable housing" that typically involves evaluating a person's income as a basis for qualification, and this is not that type of project.

Public Comment Received

Speaking In Favor

Lindsay Littlejohn stated that Sequim has a need for employee housing. Some employees live in places that are not well maintained. Her family's businesses run 24/7. The snow event impacted employees' ability to get to work. Their employees are nurses, aides, caregivers, and EMTs, with an average age of 40. Thirty units are

proposed, and there are 32 people on the waitlist. Plans are for single story buildings. She received a letter stating that a person fears what "low-income housing" brings to the area, but they are not building that type of housing. ~~She tried to get in touch with Hendrickson Estates residents but got no response. They tried to call the manager but didn't hear a response yet from Hendrickson Park.~~ These units will be subsidized by her family's businesses, making them affordable. The housing density will be lower than that of Hendrickson Estates; and, when Hendrickson Estates was proposed there was local concern that the development could be detrimental to the area, but that was not the outcome.

Miller asked Littlejohn if she objected to Condition 16 being left in, and Littlejohn stated that she believes it's unfair to mandate a condition that is not required under the City's standards.

Walter Grant stated that he is employed at Sequim Health and Rehab. There is a need for housing for employees. Employees drive from Port Angeles to make \$15/hour, and it's unfair to them.

Janay Berkeland stated that she is employed at Sherwood Assisted Living and at The Lodge at 5th Avenue. Many employees could not get to work during the snowstorm. Having housing near work would be wonderful.

Troy Tennison stated that he was born and raised here. He worked for Littlejohn in the past as a firefighter and paramedic. He supports the projects and recommended that people look at Littlejohn's other properties and judge for themselves.

Speaking Against

Martina Boeker stated that people who own houses but not land in Hendrickson Estates were not notified of the proposed development. Setbacks are too small. They are not wealthy and cannot afford to move. Littlejohn may control renters, but future owners may not. A name and phone number was given to Littlejohn to contact Hendrickson Estates residents but they have not heard from her. She stated the proposed development will degrade home values.

Debbie Thomson stated that her husband has dementia. They researched before buying their home to ensure the backyard would be peaceful. The open lot behind their home was vacant for 35 years and there were no plans to build there. Her husband's agitation levels have increased due to anticipation of hours of construction and not knowing who will be living behind their fence. Eight trees adjacent to her fence provide privacy, are greater than eight inches in diameter, and she has asked that they not be taken down. They toured the Lodge at Sherwood Village and it was beautiful but her husband wanted to live in a home of their own. Littlejohn placed a fence in front of his condos, and he should do the same for Hendrickson Estates.

Suzanne Ure stated that during the first part of the meeting people were told there was a process and they would be notified. They own houses within 300 feet, but not the land beneath, and were not notified.

Dwight Zimple stated that he would like Council to approve with modifications addressing issues that have been discussed. Development should not depreciate neighboring property values. They need a substantial barrier dividing the lifestyles of those in Hendrickson Estates from those in the new development. They would like to be individually contacted as property owners.

Linda Scott stated that she wrote a letter to Littlejohn to find a way everyone's needs could be met.

Bill Shoop stated that he lives adjacent to the fence and is concerned about noise.

Doug Wright pointed out pictures in the agenda packet such as on page 108, showing small setbacks and examples of sound barrier walls, and stated that the pictures depict examples of what is being requested by Hendrickson Estates residents.

Gloria Wagner stated that before moving into her home she lived in a trailer near Dairy Queen where there was a wooden fence, but she still heard radios from kids at the Dairy Queen until 10:00 pm.

Michele Helms stated that the parking lot is very close to the fence.

Linda Scott requested a tall wall or fence.

Debbie Thompson asked about the number of children that would live in the proposed development.

Doug Wright asked if people from Hendrickson Estates could raise their hands, and many people raised their hands.

Further Discussion

Woolett stated that 20.011.90A.2 and B reads "all adjacent property owners...", and that mailing lists are generated from the Assessor's records. Nelson-Gross stated that Council could consider in the future whether to modify the Code to include personal property owners, and that the owner of a manufactured home is the owner of personal property. Miller stated that common sense dictates that they would be notified. Nelson-Gross stated that when we deviate from Code we can find ourselves in a situation where we can be found to have shown preference.

States asked about the landscaping plan, and Woolett described the landscaping requirements. Miller asked what the Planning Commission's reasons were for adding Condition 16, and Nelson-Gross stated that per SMC, comments from Planning Commission meetings are not provided to Council in order to comply with the "one public meeting" rule.

MOTION to approve the Littlejohn Housing Preliminary Major Binding Site Plan application (file No. BSP 19-001) and Decision & Order without the deletion of Department of Community Development Condition No.16 made by Lake; second by Councilor Miller.

Nelson-Gross stated that including Condition 16 would put an onus on City staff, that it is not possible to enforce, and that the term “encourage” or “request” would be acceptable.

States suggested modifying page 14 regarding landscaping to add “with the encouragement of fencing and wall and landscaping as a buffer.”

Lake dropped his prior motion.

MOTION to approve with modifications the Littlejohn Housing Preliminary Major Binding Site Plan application (file No. BSP 19-001) and Decision & Order as amended, with an additional amendment was made by States.

Kristina suggested rewording, and States withdrew her prior motion.

MOTION by States; seconded by Miller, to approve the Littlejohn Housing Preliminary Major Binding Site Plan application (file No. BSP 19-001) and Decision & Order as amended, with the following amendment: On the Decision and Order, under the Department of Community Development Conditions of Approval #8, amend the second sentence to read as follows:

“The plan shall address required street trees, right-of-way landscaping and any other areas in common ownership of the homeowners with encouragement of fencing, wall, and/or landscaping as a buffer.”

Carried with 6 ayes and 1 abstained (Janisse).

ACTION ITEMS

CONSENT AGENDA

Approve/Acknowledge

5. City Council Meeting Minutes June 24, 2019

Pratt suggested minor modifications to the minutes, and the Council concurred.

6. Claim Voucher Recap Dated July 8, 2019 Total Payments \$732,271.99

7. Correct May 28, 2019 City Council Minutes

MOTION to approve, with modifications to the minutes, the City Council consent agenda made by Councilor Lake; second by Councilor Armacost. Carried unanimously.

OTHER

8. Facility Rental Policy and Amendment to Rental Fees - Guy Cole Event Center

VanAusdle presented, stating that this item has been heard by Council previously, and summarized the proposed changes. Pratt asked if the new rates are more favorable to the renters, and VanAusdle stated that under the new rates a resident can book by the hour rather than by the day.

MOTION to adopt Ordinance 2019-011 amending the Guy Cole Event Center rental rates with the provision that it is not implemented for 30 days, made by Pratt; second by Lake. Carried unanimously.

9. 6-Year Transportation Improvement Program (TIP) for 2020-2025 - Proposed Resolution R2019-02

Klontz presented, stating this is the first touch on this topic, and this item will be presented to the Planning Commission next week. Projects are from the Transportation Master Plan which was done in 2013. Miller stated he did not see the 5th and Fir traffic light, and Klontz stated that it is included in the Fir Street project. Klontz stated that he will bring forward additional recommendations, including the timing of traffic signals. States asked about the Simdars/Hwy 101 exchange, stating that it looks like it's planned for 2023, and Klontz stated that he's wrestled with this because it's a State project, and States stated that at the PRTPO meeting it was noted that it is important to include it in our TIP. Pratt stated that she sees Hendrickson Road on the TIP and that it will deteriorate with the new construction, and Klontz stated it would be included in Pavement Preservation. Miller asked if 5th Avenue gets more traffic than Sequim Avenue, and Klontz stated he would look into it.

The item will be brought back to Council for a public hearing and consideration of adoption on July 22, 2019.

10. 6-Year Capital Improvement Program (CIP) for 2020-2025 – Proposed Resolution R2019-03

Klontz stated this is the second touch on this item and discussed changes made since last discussion, including the fuel station at the City shop and making sure we're ready to go for EV charging stations, renaming "Guy Cole breakout rooms" to "Guy Cole meeting room" (the other room to be used for storing tables and chairs), referencing the "eastern extension" of the ODT trail, and stated that he will do a QC check to make sure the CIP is consistent with the Comprehensive Plan and Growth Management Act requirements then present to Council at the end of July, hopefully with a recommendation from the Planning Commission.

Klontz gave an update on the Fir Street project, stating that tomorrow crews would use a sewer bypass pump near Alderwood Bistro.

GOOD OF THE ORDER

Lake stated that he wants to look into amending SMC regarding notifying personal property owners as well as real property owners, and Miller agreed. Lake stated that he likes the idea of sending notices to tenants if a property is rented, and to both real

and personal property owners. Nelson-Gross stated that leases longer than three years are recorded at the Auditor's office, so in theory that information could be looked up; however, we need to consider the extra time involved on the part of the applicant and staff, and examine this further.

Lake asked if our SMC addresses people putting things like phone books on your porch and stated that he'd like to have publishers help dispose of these. Nelson-Gross stated that she does not believe this is covered under SMC's nuisance ordinance because it is solicitation, and that she and Bush are working on agreements with franchises that do that and maybe some parameters could be agreed upon. Pratt stated that people can opt out of receiving phone books. Miller stated the problem will be going away because there are fewer and fewer people listed in those books. Kristina received consensus from Council to explore adding parameters to an agreement.

Lake stated that someone complained about the "belching of fumes" at the Tractor Pull event. States suggested encouraging the use of electric vehicles in the parade.

EXECUTIVE SESSION

None

ADJOURNMENT at 9:26 p.m.

Respectfully submitted,



Alisa Hasbrouck
DCD Specialist



Dennis Smith
Mayor

Corrected minutes approved at a regular Council meeting held on October 14, 2019.

