



Minutes of the Arlington City Council Meeting

Council Chambers
110 East Third Street
May 6, 2019

Councilmembers Present: Mike Hopson, Jan Schuette, Marilyn Oertle, Debora Nelson, Sue Weiss, Jessica Stickles and Joshua Roundy.

Council Members Absent: None.

Staff Present: Mayor Barb Tolbert, City Attorney Steve Peiffle, Paul Ellis, Marc Hayes, Dave Ryan, Dave Kraski, Sheri Amundson, James Trefry, Kristin Banfield, Keith Johnson, Willy Harper, Logan Harding, Sam Johnstone, Justin Honsowetz, Chris Dickison, Phil Knepper and Erin Keator.

Also Known to be Present: Don Vanney and family, Bruce Angell, Michelle Blythe, Tim Dean and Family, Shirley Prouty, Roberta Prouty, Allen Prouty, Keith and Wendy Prouty, Dick Prouty, Lindsay Dunn, Ruth Gonzales, Robert Johnson, Gayle Roeber, Melissa Johnson, John Swizer, Don Munson, Cathy Devoir, Katelyn Devoir, Michelle Lilgreen, Judy Castanares, Michelle and Steve Heiderer, Sarah Gonzalez, Dwan Kinney and Sue Robertson.

Mayor Barb Tolbert called the meeting to order at 7:00 p.m., and the Pledge of Allegiance and roll call followed.

APPROVAL OF THE AGENDA

Mayor Pro Tem Marilyn Oertle moved to approve the agenda as presented. Councilmember Hopson seconded the motion, which passed with a unanimous vote.

INTRODUCTION OF SPECIAL GUESTS AND PRESENTATIONS

Mayor's Volunteer Award – Shirley Prouty

Mayor Tolbert introduced Shirley Prouty as a friend and long-time volunteer. She stated Shirley has been a long standing member of the Stillaguamish Valley Pioneer Association. She has been writing "100 Years of Arlington" for over 15 years chronicling the history of our city. She is now working on volume four, her final book in the series. Shirley and her husband Dick moved to Arlington from Kirkland in 1973. Shirley has always been involved in 4H, since her childhood in Pierce County. Entering 4H competitions required research and led to opportunities such as her two year housing scholarship at WSU, where she was enrolled in the Home Economics degree program. Shirley was Washington State Cherry Pie Queen in 1948! As an adult, Shirley was a 4H leader for 26 years and spent 19 years with the Evergreen State Fair. When the WA State Fair superintendent needed a manager for the photography department, he called on her and she did that for nine years. Her husband was heavily involved in the WA State Science Olympiad and Shirley helped with that for over 20 years. Shirley got involved with the Pioneer Museum around the year 2000 after hearing

from her friends that they needed help. She wrote the grant for the Water Shed Model project at the museum, and drafted the design of the Red Work Quilt that highlights historic places, which got her started on the History of Arlington book series. Shirley says "It takes a community to document history!" Ms. Prouty was thrilled to accept the award and stated she is still looking for stories to finish up her latest book!

Firefighter / Paramedic Swearing in:

Fire Chief Dave Kraski introduced Keith Johnson stating that Keith volunteered at the Arlington Fly-In for many years. His most recent work experience was with the Hanford Fire Department most recently as a Lieutenant/Paramedic. City Attorney Steve Peiffle administered his oath of office. Mr. Johnson's father, Robert Johnson, performed his badge pinning.

PROCLAMATIONS:

None.

PUBLIC COMMENT

Ruth Gonzales – 6823 211th Pl NE. Ms. Gonzales came to the council meeting to remind, talk about, and share Arlington with the City Council. Ms. Gonzales spoke of the video quality of Life in Arlington, stating that the video represents the quality of life currently in Arlington. She stated the video shows all the great qualities of Arlington with only one slide showing industrial businesses. She stated there are lots of changes occurring in Arlington right now with the zoning code and development. Her family came to Arlington in 1919 to start a family and continue in a business that began in 1895. She believes that it is important for the City to maintain the quality of life and infilling high density residential and 45 foot tall structures adjacent to single family residences on half acre pieces or two acres pieces does not maintain that hometown feel and quality of life. She doesn't believe those high density projects in the proposed locations identifies with what Arlington is trying to project as being a small town quality of life. There are great places in the City for where those mixed use projects should be located but they should not be located in the middle of existing single family residential zones; that is not appropriate.

Michelle Lilgreen – 20913 67th Dr NE. Ms. Lilgreen came to speak to the Council stating her opposition to the Grandview North rezone, PLN 509. She spoke on April 16 at the public hearing to the Planning Commissioners and a petition was presented of neighbors who protest the rezoning of 6810 211th Pl NE from a residential low to moderate density zoning to a neighborhood commercial zone. She stated after voting, the Planning Commission recommends that the City Council disprove the proposed rezone. In Attachment H-2 for tonight's meeting there is a summary of testimony as to what was said in opposition to the rezone at the April 16 Planning Commission Public Hearing; it also has a well-constructed letter opposing the rezone by property owners who wish to be anonymous. Ms. Lilgreen shared the points of the letter. In the last 12 years two homes as well as three duplexes have been built nearby and the structures blend in with the character of their existing homes. No one in her neighborhood planned on living next to apartments with businesses for many reasons. 1. Having the proper amount of lighting is essential for a business parking lot, but to the average homeowner it would seem invasive. 2. Noise from regular commercial deliveries will negatively impact the surrounding homes. 3. Not providing enough

designated parking could cause customers and tenants to use the adjacent streets and private driveways. 4. Regardless of promises that are made such as having a strict tenant screening process there is no assurance that the current owner will keep up their same standards or that the property will not be sold to someone else who has lower standards. We are currently lucky to have such a safe neighborhood and we do not want that jeopardized. 5. In regards to the roads, the letter addresses how adding apartments with businesses will increase the traffic on 211th. Speeding, poor visibility due to the curve of the road and the lack of safe sidewalk is already risking our pedestrians and drivers. Of the 5,000 daily drivers a large number of those vehicles are exceeding the 25 MPH speed limit and 15% of those are driving 10 miles or more over the limit. There are two school bus stops where kids must cross both lanes of traffic in order to get home. There are people walking, jogging, and riding bikes along this narrow road and the only thing separating them from a speeding 2-ton vehicle is a single row of curbing. These pedestrians deserve to be safe so let's not make the existing road problems worse by adding more cars from this proposed project. Please note that similar businesses to the ones being proposed already exist along 67th Avenue, and people are content with walking to get to them. In conclusion we want healthy growth for our community and the owner of this property could develop single family homes and make a profit while also preserving the quality of life for all residents. Apartments with businesses would be typical in Seattle or Everett but not here where we value our history and small town charm. Please, City Councilmembers, understand how revenues should not be more important than our existing residents in town.

Lindsay Dunn – 735 E Highland Drive. Mr. Dunn stated that changing the zoning of address 606 Highland from medium density to high density is not a good idea. He stated the back part of the lot is already approved for an apartment building so that can't be changed, but the .5 acre should not be rezoned. He stated that many residents in that neighborhood have .5 acre lots and this one particular lot would be the only one zoned high density; and if that gets zoned high density than everybody gets to be rezoned. He stated the Council doesn't know what they are getting. The developer tells the Planning Commission what they want to do but it's not binding, and the developer could sell the property. He believes if you change it to high density it should be binding to the project and binding to the developer. He stated he is all for growth and there are places to put high density but stated on the record he's against the rezoning for this property. He also reminded everybody about the Planning Commission public hearing on May 21st.

Sarah Gonzales, Ruth Gonzales's daughter (no address listed). The 2007 Comprehensive Plan has a vision statement that says 'the principal theme of the vision statement is that the City of Arlington would like to maintain its character and identity- the "small town" atmosphere.' Changing things to high density completely demolishes the small town feel. The particular lot she spoke about is the same that Michelle spoke about. There is a barn on that property, the barn has been there forever, this is a historical town of logging and farming; the City is taking it all away. We want to keep the history so people can see how this town grew up, and she wants to live in a small town; she believes the City is taking that away and doing completely the opposite of the vision statement of maintaining a small town atmosphere and the history. She noted it's interesting that the City gave the Mayor's award to someone who has made books about our history and the City is taking that away.

CONSENT AGENDA

Mayor Pro Tem Marilyn Oertle moved and Councilmember Nelson seconded the motion to approve the Consent Agenda which was unanimously carried:

1. Minutes of the April 13, 2019 spring retreat, and April 15 and April 22, 2019 council meetings.
2. Accounts Payable: Approval of EFT Payments and Claims Checks #96636 through #96795 dated April 16, 2019 through May 6, 2019 for \$842,801.34.
3. Arlington Municipal Code Title 14 update regarding Airport Rules and Regulations.

PUBLIC HEARING

None.

NEW BUSINESS**Resolution for authorizing bond issue for capital projects**

City Administrator Paul Ellis explained the resolution will direct staff to proceed in preparing for a bond issue for a new fire station, police impound facility and maintenance and operations building and also refinance debt. Mr. Ellis also stated that the City would be closing Fire Station #47 to combine with #48 once it is completed and that language has been added to the resolution. Councilmember Nelson stated she is thankful to staff and her fellow councilmembers for all their hard work during the rough times. Councilmember Oertle stated she is appreciative of the debt consolidation and is glad that the City will recognize financial savings on the interest. Discussion followed with Mr. Ellis answering questions. Mayor Pro Tem Oertle moved and Councilmember Hopson seconded the motion, to approve the resolution directing staff to proceed with preparing a bond issue for a new fire station, police impound facility, maintenance and operations building, and to refinance debt, and authorize the Mayor to sign the resolution. The motion passed unanimously.

Public art proposals

City Administrator Paul Ellis reviewed recommendations by the Parks, Arts and Recreation Commission for public artwork which includes a

1. Chainsaw carved wood bench with cougar by Jacob Lucas. Donation by Arlington Arts Council, value is \$2,500. The proposed location is the bench pad next to the sidewalk at Olympic Avenue and First Street; and
2. Chain link fence cup art - "Bee" by Erika Bruss. Proposed location is on the chain link fence behind the police station. This is a youth project and materials are paid for by the Arlington Arts Council. This item was actually completed on Saturday, April 20.

Mayor Pro Tem Oertle moved and Councilmember Stickles seconded the motion to accept the public arts pieces into the City's Public Art collection. The motion passed unanimously.

Collective Bargaining Agreement between the City of Arlington and the IAFF Local No. 3728 representing uniformed firefighters for 2019-2020

Administrative Services Director James Trefry asked Council to approve the Collective Bargaining Agreement between the City of Arlington and the IAFF Local No. 3728 for 2019-2021 and authorize the Mayor to sign it. IAFF Local No. 3728 ratified the agreement on April 19, 2019. Mr. Trefry stated that he had distributed a sheet of paper showing a minor revision in 15.3.1 where the City and IAFF 3728 have agreed to leave in previous language. The cost of the contract is slightly over salary allocation, up to \$15,000 in 2019 and up to \$10,000 in 2020 but he believes there may be potential cost savings in the contract but they can't identify a specific amount. He stated the City may realize a lower cost increase.

Councilmember Stickles asked where the additional cost would be paid from, the general fund or the fire department. Mr. Trefry stated, and Mr. Ellis reiterated, it would be blended.

Councilmember Schuette asked about the language that does not require a firefighter to join the Union. Mr. Trefry briefly explained the Janus v. AFSCME decision and how it affects public employer union membership.

Councilmember Stickles moved and Councilmember Weiss seconded the motion to approve the Collective Bargaining Agreement between the City of Arlington and the IAFF Local No. 3728 for 2019-2021, and authorize the Mayor to sign it. The motion passed unanimously.

Appointments to Airport Commission

Airport Director Dave Ryan explained that he is requesting to reappoint the following individuals to the Airport Commission: Ms. Gayle Roeber, Mr. John Swizer and Mr. Don Munson. Mr. Ryan introduced the three commissioners. Councilmember Jan Schuette moved and Councilmember Hopson seconded the motion to reappoint John Swizer, Don Munson and Gayle Roeber to the Airport Commission. The motion passed unanimously.

Appointments to Planning Commission

Community and Economic Development Director Marc Hayes explained that he is requesting the Council to appoint Timothy Dean and Melissa Johnson as candidates to fill the open positions. Mr. Hayes introduced both commissioners and stated they both have been involved in the community and both in real estate. Councilmember Schuette asked how many commissioners we have now. Mr. Hayes stated there are currently five and with the appointments, the Planning Commission will be fully staffed. Councilmember Schuette moved and Councilmember Nelson seconded the motion to confirm the appointment of Timothy Dean and Melissa Johnson to the Arlington Planning Commission. The motion passed unanimously.

Review of 2019 Comprehensive Plan docket items

Community and Economic Development Director Marc Hayes walked through the first group of comprehensive plan docket items.

1. The AVS Communities Rezone request PLN #524 – 2019 Docket Item. Community and Economic Development Director Marc Hayes explained the AVS Communities Rezone is requesting to rezone a 9-acre parcel from General Industrial to General Commercial and utilize the Mixed Use Overlay for a future proposed project. Discussion followed with Mr. Hayes answering questions. Councilmember Nelson moved and Councilmember Hopson seconded the motion to approve the ordinance approving the AVS Communities land use map amendment and concurrent rezone, and authorize the Mayor to sign the ordinance. The motion passed unanimously.
2. Grandview North Rezone Request PLN #509 – 2019 Docket Items. Community and Economic Development Director Marc Hayes explained the Grandview North Rezone is requesting to rezone a 0.99 acre parcel from Residential Low Medium Density to Neighborhood Commercial and utilize the Mixed Use Overlay for a future proposed project. The applicant has an adjacent 1.76 property that is already zoned neighborhood commercial that he is planning to do a mixed use project on; the 0.99 acre is in addition to that as an expansion of his proposed project. Discussion followed with Mr. Hayes answering questions.

Councilmember Schuette clarified that the 1.76 property, due to its zoning, can go three stories high and on the part that is on the 0.99 acre parcel he can still go two stories high. Mr. Hayes stated that on the 0.99 acre parcel the applicant is able to go three stories high. Councilmember Schuette asked if it is possible to require that they put in trees along the border? Mr. Hayes stated that it doesn't require a buffer but we could request a buffer as part of the project. Councilmember Schuette also asked if we could use mitigation fees to expand the sidewalk? Mr. Hayes stated there is a potential to expand pedestrian walkways.

Councilmember Stickles asked if the zoning is not approved, but the developer still develops under the current zoning would they still be required to do the same street front improvements. Mr. Hayes stated the City would evaluate that option but stated we would lean towards requiring frontage improvements.

Councilmember Weiss asked if a buffer zone would help. Mr. Hayes said the buffer would need to be dense and tall; he stated that we could do a development agreement as part of a rezone. A development agreement would allow the City to know what type of building was being proposed and what requirements would need to be met for the rezone to occur.

Councilmember Nelson asked a process question of the Planning Commission. She would like to have reasons for the recommendations that they forward to the City Council. Mr. Hayes explained that there are three alternatives available to the Council with this specific request. The Council can deny the rezone, approve the rezone and the third is to remand the matter back to the Planning Commission for additional findings and recommendations.

Councilmember Schuette stated she would like the audience to understand why high density is an issue now. She read a statement she had prepared. In order to receive State and Federal transportation monies, we were assigned growth numbers of 7,000

additional people in Vision 2040. We need to plan for that growth or we receive no monies. In the past approximately six years, we have received around 11 million dollars. Next Spring, with Vision 2050, our growth numbers will double to 14,000. We are running out of undeveloped land in Arlington, not counting East Hill, we are down to less than 30 acres, consequently developers are having to build higher density housing. We need to plan for this growth as efficiently as possible and it will mean changing more areas to higher density housing. Snohomish County will grow by 488,000 by 2050, the people and jobs are coming whether we like it or not, please understand that we are working hard to plan for that growth that will provide our citizens with a City where you can live, work and play.

Councilmember Nelson moved and Councilmember Hopson seconded the motion to deny the rezone and comprehensive plan amendment and adopt the ordinance denying the same. The motion passed unanimously.

3. The Arlington-Marysville Manufacturing Industrial Center (AMMIC) Subarea Plan PLN #491 – 2019 Docket Item. Community and Economic Development Director Marc Hayes explained the AMMIC Subarea Plan was adopted by Council in December 2018, but required inclusion into the Comprehensive Plan as a reference document. This is the adopting ordinance to provide for that Comprehensive Plan Amendment, allowing for its inclusion. A Public Hearing was held April 16, 2019 at Planning Commission. There was no public opposition of the proposed amendment to the comprehensive plan. Councilmember Nelson moved and Councilmember Hopson seconded the motion to approve the ordinance adopting the AMMIC Subarea Plan Comprehensive Plan Amendment, and authorize the Mayor to sign the ordinance. The motion passed unanimously.
4. Complete Streets Policy PLN #513 – 2019 Docket Item. Community and Economic Development Director Marc Hayes explained the Arlington Complete Streets Policy was adopted by Council in November 2018, but required inclusion into the Comprehensive Plan as a reference document. This is the adopting ordinance to provide for that Comprehensive Plan Amendment, allowing for its inclusion. Councilmember Nelson moved and Councilmember Stickles seconded the motion to approve the ordinance adopting the Arlington Complete Streets Policy as part of the Arlington Comprehensive Plan, and authorize the Mayor to sign the ordinance. The motion passed unanimously.
5. Unit Lot Subdivision PLN #514 – 2019 Docket Item. Community and Economic Development Director Marc Hayes explained the Unit Lot Subdivision is a Land Use Code Update amending Chapter 20.44.020 AMC. The amended Chapter will be identified as 20.44.020A. Discussion followed with Mr. Hayes answering questions. Councilmember Nelson moved and Councilmember Stickles seconded the motion to approve the ordinance making additions to the development regulations pertaining to unit lot subdivisions, and authorize the Mayor to sign the ordinance. The motion passed unanimously.

6. York Rezone Request PLN #515 – 2019 Docket Item. Community and Economic Development Director Marc Hayes explained the York Rezone is a City initiated request. This is a portion of the York property that has the original house and shop. The house and shop have been in disrepair for numerous years. City Council voted last year to approve this for a surplus property. Developers have looked at the property for different types of projects. The expense of the utility extension is too great for single family and townhome use. A recent developer said he can develop the land if it is zoned for multiple units as an apartment complex. It went before the Planning Commission there was no public testimony from any of the residents in the neighborhood. There was one resident that did oppose the project but lives removed from that area. Planning Commission did deny the rezone request.

Councilmember Stickles asked if the rezone is not approved, is there another route to take to remove the house? City Administrator Paul Ellis stated that the City would need to develop a plan and come back to Council with the plan to demo the buildings and restore the property. Demolishing the building is not budgeted, as the City did not plan to go that route.

Councilmember Oertle gave some history on the property and stated she believes the City would be remiss by not approving the rezone.

Community and Economic Development Director Marc Hayes explained that there are three options open to the Council for the rezone.

Councilmember Nelson moved and Councilmember Schuette seconded the motion to approve the York Rezone request, rezone the parcel from Public/Semi-public to Residential High Density and authorize the Mayor to sign the ordinance. The motion failed 3-4, with Councilmembers Schuette, Oertle and Nelson voting for and Councilmembers Weiss, Hopson, Stickles and Roundy voting against.

Councilmember Stickles moved and Councilmember Weiss seconded the motion to deny the York Rezone request, and authorize the Mayor to sign the ordinance denying the rezone. The motion passed 4-3, with Councilmembers Weiss, Hopson, Stickles and Roundy voting for and Councilmembers Schuette, Oertle and Nelson voting against.

The rezone is denied.

7. Butler Property Annexation. Community and Economic Development Director Marc Hayes explained state Law allows the City Council by simple majority vote to annex property for municipal purposes per RCW 35A.14.300 with no public hearing required. Councilmember Nelson moved and Councilmember Hopson seconded the motion to approve the ordinance annexing the Butler property, and authorize the Mayor to sign the ordinance. The motion passed unanimously.

DISCUSSION ITEMS

None.

INFORMATION

None.

ADMINISTRATOR & STAFF REPORTS

None.

MAYOR'S REPORT

EXECUTIVE SESSION

None.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:01 p.m.



Barbara Tolbert, Mayor

