

**CITY OF DUVALL CITY COUNCIL
MEETING MINUTES
APRIL 5, 2022**

**COMMITTEE OF THE WHOLE
AND
REGULAR MEETING**

Virtual Meeting Location

Due to public health emergency, this meeting was held remotely with no in-person attendance. All Councilmembers, staff and public attended via Zoom webinar.

Call to Order – Committee of the Whole

The Duvall City Council Committee of the Whole Meeting of April 5, 2022, was called to order by Mayor Pro Tem McHenry at 5:32 P.M. The meeting was quorate. Mayor Amy Ockerlander was briefly present, but left the meeting due to emergency.

Council Present: John Isaacson, Rick Shaffer, Amy McHenry, Ronn Mercer, Michelle Hogg, Jennifer Knaplund and Dorothy Lengyel

Staff Present: Lara Thomas, Dana Mason and Steve Leniszewski

A. Good of the Order

No comments were provided for this item.

B. Review of Regular Meeting Agenda

Councilmembers reviewed the agenda without comment.

C. Discussion Items

1. Results of Community Survey for Parks

Public Works Director Leniszewski gave an update on plans for Big Rock Park and a public survey. He gave an overview of a property analysis and reviewed community survey results and findings. He reported the City has received a \$100,000 grant from King County for the park and plans to pursue an additional \$100,000 from the Recreation Conservation Office. Public Works is pleased to be progressing towards design of improvements, he said.

Three different design options, passive, active, or a combination, were presented and discussed by the City Council. A wetland area restricts use of a portion of the property. Councilmembers discussed the possibility of purchasing additional property to expand the park, especially due to the wetland encumbrance.

2. Planning for Use of ARPA Funds

Finance Director Mason reviewed a list of ideas for use of ARPA funds created by the Council and City staff. Councilmembers discussed the merits of these ideas. Community Development Director Thomas said the Mayor and staff propose to provide immediate funding to support community events this summer as an investment in economic development.

Finance Director Mason requested Councilmembers review project ideas and rank them for further discussion at the April 19, 2022, regular meeting.

3. City Council Retreat Action Items and Planning for Upcoming Retreat

This item was not taken up for discussion at the Committee of the Whole meeting. Councilmembers agreed information could be provided as a report during the regular meeting.

D. Reports and Planning

1. Tree Grant

Director Thomas reported the Community Development Department has applied for an Urban Forestry Grant to 1) Review and update tree protection policies; 2) Develop a street tree list; 3) Provide arborist support for street tree maintenance; 4) Arborist support for city trees that need evaluation and make recommendations; 5) Communication and educational materials; and 6) To create tree protection planting standards and checklists.

2. Council Planning Calendar

Councilmembers reviewed planning for upcoming meetings without discussion.

Mayor Pro Tem McHenry adjourned the Committee of the Whole meeting at 6:54 p.m.

Call to Order – Regular Meeting

The Duvall City Council Regular Meeting of April 5, 2022, was called to order by Mayor Pro Tem McHenry at 7:00 P.M. The meeting was quorate. Mayor Amy Ockerlander was absent due to emergency.

Council Present: John Isaacson, Rick Shaffer, Amy McHenry, Ronn Mercer, Michelle Hogg (at 7:04 p.m.), Jennifer Knaplund and Dorothy Lengyel

Staff Present: Lara Thomas, Dana Mason, Steve Leniszewski, Larissa Grundell, Daniel Kenny and Sara McMillon

Guests Present: Josh Erskine, Fire District 45

A. Flag Salute

Mayor Pro Tem McHenry led the flag salute.

B. Roll Call

City Clerk McMillon conducted roll call.

C. Additions and Corrections to the Agenda

There were no additions or corrections to the agenda.

D. Adoption of the Agenda

It was moved by Lengyel to approve this evening's agenda. The motion carried (7 ayes).

The Council approved the agenda for the April 5, 2022, regular meeting as presented.

E. Comments from the Audience

There were no comments from the audience.

F. Closed and Executive Sessions

Mayor Pro Tem McHenry announced a closed session pursuant to RCW 42.30.140(4)(b) to set collective bargaining strategy and an executive session pursuant to RCW 42.30.110(1)(g), to review the performance of a public employee. She said the sessions would be 15 minutes in duration. The Council went into closed and executive sessions at 7:07 p.m.

City Clerk McMillon announced time extensions at 7:22 p.m., 7:37 p.m., 7:47 p.m., 7:52 p.m., 8:07 p.m., 8:22 p.m., 8:32 p.m., 8:42 p.m., and at 8:47 p.m. The Council came out of closed and executive sessions at 8:50 p.m.

Councilmember Hogg did not return to the regular meeting from closed and executive sessions.

It was moved by Mayor Pro Tem McHenry to add to the agenda tonight authorizing the Mayor to sign a settlement and a release as discussed in executive session. The motion carried (6 ayes).

The Council added discussion of a Separation and Release Agreement with Kevin Opplé to the agenda.

It was moved by Mayor Pro Tem McHenry that we authorize the Mayor to sign a settlement and release as discussed in executive session. The motion carried (6 ayes).

Councilmembers approved a Separation and Release Agreement with former City Administrator Kevin Opplé who resigned his position.

G. Consent Agenda

It was moved by Lengyel to approve this evening's consent agenda. The motion carried (6 ayes).

The Council approved:

1. Minutes for Committee of the Whole Special Meeting March 7, 2022;
2. Minutes for the Committee of the Whole and Regular Meetings March 15, 2022;
3. Payroll and Claims Approval in the Amount of \$254,832.94; and
4. AB22-18 Renewal of Memorandum of Understanding for Community Garden.

H. Scheduled Items

1. Mayor's Report

Mayor Ockerlander was not in attendance.

2. King County Fire District 45 Report

Fire Chief Erskine reported that in March, there were 78 calls for service, with 57 in the downtown area. He said the fire district building will be open to the public on April 13. City Councilmembers thanked Fire District 45 for allowing the use of the headquarters facility for public meetings of the Duvall Council and Planning Commission.

Chief Erskine said he would continue to work on a bike helmets program if this is still of interest. Councilmember Shaffer said he is interested in local regulations concerning bike helmets. Chief Erskine responded he was referring to surplus bicycle helmets that could be offered to citizens.

3. Duvall Police Department Report

Police Chief DeBock was not available.

4. Council Committee Reports

a. Finance and Administration

Mayor Pro Tem McHenry said the committee is reviewing the procurement policy. One more meeting is likely needed. This week a finance committee meeting to discuss other matters will be held.

b. Land Use

No report available.

c. Public Safety

Councilmember Shaffer said the committee selected him as chairperson. Committee meetings will take place the last Tuesday of the month from 11 a.m. to 12 p.m. Mr. Shaffer said police officer recruitment and new hire training is progressing well. Recruitment of a police administrative specialist position is underway. Introduction of new police staffing would be a positive addition to an upcoming Council meeting. Police are working on obtaining a mental health specialist to serve the public.

d. Public Works

Director Leniszewski said staff has been working on the police station locker rooms project. He showed a schematic of the police station remodel plans. The first meeting of this committee will be next week.

e. Ad-Hoc Committees

i. Council Procedures Update/Code of Conduct

Mayor Pro Tem McHenry said the committee met to review proposed hybrid meetings procedures. At the next regular meeting the City Clerk will provide two options.

ii. Human Services Grant Applications

Mayor Pro Tem McHenry reported this committee will meet tomorrow to review applications from human services agencies for City grant money.

5. Other Council Reports

Councilmember Knaplund asked when the Depot building, Rose Room, Visitor's Center and WRECK center will be available for rental. Director Leniszewski

responded that the Depot is available. Staff currently working in the Rose Room will be moved out of it by May 1, but some other work may be necessary to prepare the room. The WRECK center will not be available, because Public Works staff will be using the building as an office while the Public Works building is remodeled.

Mayor Pro Tem McHenry said one of the main items from the retreat was that Council committees should develop a description of the committee and a purpose statement. She said she would like to hold a retreat in May or June and would be interested in the possibility of hiring a facilitator.

6. Administrator Report

Community Development Director and Deputy City Administrator Thomas provided a comprehensive update on City departments and projects.

I. Special Presentations

1. Proclamation of City of Duvall Arbor Day

Mayor Pro Tem McHenry proclaimed April 23, 2022, as Arbor Day in the City of Duvall.

2. Proclamation of Sexual Assault Awareness Month

Mayor Pro Tem McHenry proclaimed April 2022 as Sexual Assault Awareness Month.

J. Public Hearings

1. Temporary Use Duration Ordinance No. 1297

At 9:17 p.m., Mayor Pro Tem McHenry opened the public hearing on Ordinance No. 1297.

It was moved by Lengyel to extend the meeting. The motion carried (6 ayes).

The Council extended the regular meeting past 9:30 p.m.

Hearing no verbal public testimony and without any written testimony, Mayor Pro Tem McHenry closed the public hearing at 9:21 p.m.

K. Unfinished Business

There was no unfinished business.

L. New Business

1. AB22-20 Ordinance Amending Utility Low-Income Discount

Finance Director Mason said this item was introduced to the Committee of the Whole on February 1, discussed at a Council meeting March 1, and then was further reviewed by the Finance and Administration Committee on March 3. The committee recommends changing the current discount structure from three levels to two levels and increasing the discount for those who qualify as very low income from 15% to 40%.

Director Mason presented two additional options. Option two would provide a 30% discount for very low-income households, and option three would maintain the 40% discount recommended, but increase the discount for low-income households from 10% to 15%. Councilmembers expressed support for the committee's recommendation.

It was moved by Lengyel to approve Agenda Bill 22-20, utility discounts. The motion carried (5 ayes, 1 nay).

The Council approved **Ordinance No. 1299**, an ordinance of the City of Duvall, Washington, amending Ordinance No. 1121 establishing discounts for low-income utility customers; providing for severability; and establishing an effective date.

2. AB22-21 Resolution Approving Revised Consolidated Fee Schedule

Finance Director Mason said a fee schedule revision is needed to reflect the low-income utility discount approved this evening, utility billing fees previously approved, updates to public records request fees, and other needed clarifications.

It was moved by Knaplund to approve Agenda Bill 22-21, approving the resolution amending the City's 2022 Fee Schedule. The motion carried (6 ayes).

The Council approved **Resolution No. 22-11**, a resolution of the City of Duvall, Washington, adopting an amended consolidated fee schedule and repealing Resolution No. 22-04.

3. AB22-22 Contract for Engineering Design of 142nd Street Sidewalk Project

Public Works Director Leniszewski said a contract with PACE Engineers for engineering design services on the NE 142nd Place Sidewalk Improvement Project, and an authorization for a project contingency of up to 10%, is presented for Council consideration. This contract includes the completion of topographic survey and boundary reviews, construction ready plans, specifications and engineer's estimate, stormwater report, and assistance with design-specific construction and bidding administration work. The total contract cost is \$69,800.

Councilmembers asked if public outreach would be a part of the project, and Mr. Leniszewski said that it would.

It was moved by Shaffer that we pass Agenda Bill 22-22, contract acceptance for the 142nd Street Sidewalk Project (6 ayes).

The Council approved a contract for engineering design services with PACE Engineers and authorized the Mayor to execute the contract following review by the City Attorney.

4. AB22-23 Resolution Adopting Transportation Improvement Plan for 2023-2028

City Engineer Grundell gave a presentation on a proposed six-year Transportation Improvement Plan. She answered Council questions concerning transportation projects anticipated. Staff will hold public hearing on the plan at the May 3 regular City Council meeting.

5. AB22-24 Ordinance Updating NPDES Code for 2022

City Engineer Grundell provided a staff report concerning Duvall's Western Washington Phase II Municipal Stormwater Permit for the National Pollutant Discharge and Elimination System (NPDES) Permit. She answered Council questions concerning underground detention vaults. Some requirements for these structures would be a part of revised Public Works design standards. Revised standards will not be ready for Council review until a later date. Councilmember Shaffer suggested standards might be a good topic for the Council's public works committee.

Engineer Grundell said a public hearing concerning this topic will be held in the coming months to encourage public participation.

6. AB22-25 Letter of Support for Mountains to Sound Greenway National Heritage Area Management Plan

Community Development Director Thomas said the Mountains to Sound Greenway has requested support of the organization's draft National Heritage Area Management Plan. The plan aligns with natural resource stewardship priorities and ecological and cultural resiliency goals.

It was moved by Mercer to suspend the rules and move forward with voting on Agenda Bill 22-25. The motion carried (6 ayes).

It was moved by Mercer to approve Agenda Bill 22-25, authorizing the Mayor to sign the letter of support for the Mountains to Greenway Trust. The motion carried (6 ayes).

The Council authorized Mayor Ockerlander to sign a letter of support for the Mountains to Sound Greenway draft National Heritage Area Management Plan.

7. AB22-26 Cancellation of City Council Meetings During 2022

City Clerk McMillon requested the Council consider canceling the July 5 and December 20 Committee of the Whole and regular Council meetings due to proximity to major holidays when many people are unavailable. Councilmember Lengyel commented that even with cancelations, if needed meetings could be added later.

It was moved by Shaffer we suspend the rules and approve Agenda Bill 22-26 cancelation of City Council meetings during 2022. The motion carried (6 ayes).


The Council canceled the July 5, 2022, and December 20, 2022, Committee of the Whole and regular City Council meetings.

M. Executive Session

An executive and closed session was held earlier in the evening.

N. Adjournment

There being no further business and hearing no objections, Mayor Pro Tem McHenry adjourned the meeting at 10:16 p.m.

Signed 
Amy Ockerlander, Mayor

Attest 
Sara McMillon, City Clerk