

**CITY OF DUVALL CITY COUNCIL
MEETING MINUTES
SEPTEMBER 6, 2022**

**COMMITTEE OF THE WHOLE AND
SPECIAL MEETING**

**Fire District 45 Headquarters
15600 1st Ave. NE
Duvall, WA 98019**

Virtual Option Provided

Call to Order – Committee of the Whole

The Duvall City Council Committee of the Whole Meeting of September 6, 2022, was called to order by Mayor Pro Tempore McHenry at 5:33 p.m. The meeting was quorate. Mayor Amy Ockerlander also was present.

Council Present: Rick Shaffer, Amy McHenry, Ronn Mercer, Jennifer Knaplund and Corey Lovett.

Council Absent: John Isaacson

Staff Present: Steve Leniszewski, Dana Mason and Sara McMillon.

A. Good of the Order

Councilmember Knaplund asked about the process for Council to receive information from staff. Questions should be submitted to the Mayor, who will then direct the question to the appropriate member of staff, Mayor Ockerlander said.

B. Review of Regular Meeting Agenda

The Council reviewed and discussed the agenda for the regular meeting.

C. Discussion Items

1. Committee and Meeting Structure

Mayor Pro Tempore McHenry said the information presented at Council standing committee meetings, such as Finance, Land Use, and Public Safety, seems duplicative to information received by the Council during regular meetings. Work items seem to

flow up from committees in a random fashion, rather than being in line with an overall plan the Council establishes. Council standing committees could be used only when there is a work item remanded by Council and not on a regular basis, to create an efficiency. One additional Committee of the Whole meeting could be held per month to receive reports and discuss items normally reviewed at regular committee meetings. Councilmembers discussed possible benefits. Councilmember Shaffer said he would like to hear feedback from staff. Mayor Pro Tempore McHenry said the change could be something to try temporarily. The Council agreed this item could be reviewed further at a future meeting.

2. 2022 Comprehensive Plan Amendments – Status Update

The Council by unanimous consent postponed discussion of this item until the next Committee of the Whole meeting September 20, 2022.

3. Second Quarter Financial Report

Councilmembers by unanimous consent postponed discussion of this item until the next Committee of the Whole meeting September 20, 2022.

4. Council Committee Reports

The Council by unanimous consent added “Council Committee Reports” to the Committee of the Whole agenda.

a. Finance and Administration

Mayor Pro Tempore McHenry said this committee is scheduled to meet this week.

b. Land Use

No report.

c. Public Safety

Councilmember Shaffer said the police are in the process of recruiting for three positions. A new administrative assistant, Courtney Lewis, was recently hired. Police are reviewing the process for complaint submission. Officer Dunklee has started work as the School Resource Officer at the high school. The committee discussed controlled substance use enforcement at public events. Possible technological improvements such as drone use were also discussed. During the meeting police highlighted public engagement efforts like Coffee with Cops.

Councilmember Knaplund asked what process is followed if the City’s contracted emergency dispatch receives a complaint concerning an officer. During a recent incident, a 911 caller did not receive an adequate response to a complaint. Mayor

Ockerlander said the complainant should have contacted police directly. She said she is confident Duvall Police Chief DeBock has reviewed this incident thoroughly and taken the appropriate actions. Councilmember Knaplund suggested signage concerning controlled substance use could be posted at City events. This may assist law enforcement personnel.

d. Public Works

No report.

e. Ad-Hoc Committees

i. Council Procedures Update/Code of Conduct

Mayor Pro Tempore McHenry said City Clerk McMillon is in the process of reviewing the draft document. City Attorney Kenny will then conduct a final review before presentation to the full Council.

5. Other Council Reports

Mayor Pro Tempore McHenry said a Council Chat will be held Monday, September 19, from 11 a.m. to noon at the C.C. Espresso and Ice Creamery in downtown Duvall.

6. City Administrator Report

a. Administrator Recruitment

Mayor Ockerlander said two panels have conducted interviews of seven candidates for the City Administrator position. Two candidates will proceed to a final interview to be held Friday, September 9.

b. Council Interest in Serving on K4C County-Cities Climate Collaboration

Councilmember Lovett and Mayor Pro Tempore McHenry expressed an interest in serving on this committee but requested more information on how often the committee meets.

7. Mayor's Report

Mayor Ockerlander said an Association of Washington Cities legislative priorities will be held this week. An AWC networking event called Cities on Tap will be in Everett on September 29. The Snoqualmie Valley Governments Association meeting will be held on September 28.

8. Other Council Reports

Former City Councilmember Michelle Hogg was the primary representative to the Sound Cities Association (SCA) Public Issues Committee (PIC) and the King County Flood District Advisory Board, Director Leniszewski said. A replacement appointment will need to be made. Councilmember Shaffer, the SCA PIC alternate delegate, said he would not be interested in serving as the primary.

The Council by unanimous consent added “Land Acquisition for Parks” to the Committee of the Whole agenda.

9. Land Acquisition for Parks

Public Works Director Leniszewski said in response to Council questions, he has conducted research concerning potential boundary line adjustments or land acquisition to expand Big Rock Park. Land adjacent to the park is subject to King County requirements concerning lot size, so boundary line adjustments could only yield a small amount of acreage. Further investigation of possibilities could take a long time, and Director Leniszewski said he does not want to delay design of park improvements for this uncertain outcome. He suggested that a surveyor could look at the parcels adjacent to the park and provide an expert opinion on options, and this may not take a very long time. After discussion, the Council agreed a surveyor should perform an analysis.

D. Reports

Written reports concerning development from May through July, a housing needs assessment update, and planning for future Council meetings were reviewed.

Adjournment

The City Council Committee of the Whole meeting adjourned at 6:51 p.m.

Call to Order – Regular Meeting

The Duvall City Council Regular Meeting of September 6, 2022, was called to order by Mayor Amy Ockerlander at 7:00 p.m. The meeting was quorate.

Council Present: Rick Shaffer, Amy McHenry, Ronn Mercer, Jennifer Knaplund and Corey Lovett.

Council Absent: John Isaacson

Staff Present: Steve Leniszewski (virtual), Daniel Kenny (virtual), Dana Mason (virtual), Mike DeBock (virtual) and Sara McMillon.

A. Flag Salute

Mayor Ockerlander led the flag salute.

B. Roll Call

City Clerk McMillon conducted roll call.

C. Additions and Corrections to the Agenda

The Council by unanimous consent reordered the agenda to place “Special Presentations” just prior to “Consent Agenda.”

Regular meeting agenda items “Council Committee Reports,” “City Administrator Report,” “Mayor’s Report,” and “Other Council Reports” were discussed during the Committee of the Whole meeting earlier in the evening.

The Council by unanimous consent amended the agenda to postpone consideration of the community forestry grant item until the September 20, 2022, regular meeting.

D. Adoption of the Agenda

It was moved by Shaffer to adopt this evening’s agenda. The motion carried (5 ayes).

The Council approved the agenda for the regular City Council meeting of September 6, 2022, with amendment.

E. Comments from the Audience

Laura Smith, Executive Director of Empower Youth Network, spoke concerning the Suicide Prevention Month Proclamation and the nonprofit’s partnership with the City.

F. Special Presentations

1. Suicide Prevention Month Proclamation

Mayor Ockerlander read a proclamation of September 2022 as Suicide Prevention Month. Ms. Smith accepted the proclamation on behalf of Empower Youth Network.

2. King County RE+ Program

Andy Smith, interim recycling and environmental services section manager for the King County Solid Waste Division, provided a presentation on the RE+ Program. The program aims to divert organic, plastic, paper and other materials from landfills. He reviewed some strategies for diverting food waste and recycling. Councilmembers asked questions concerning the potential cost and behavior changes involved.

In response to a question from Councilmember Knaplund concerning waste to energy initiatives, Mr. Smith said this is not currently a part of RE+.

Pat McLaughlin, Director of King County Solid Waste, said waste to energy may be an option for managing waste included in the update to the solid waste plan. Diverting waste reduces the amount of waste that must be managed and enables technologies to be used that are not possible when dealing with a larger amount of waste. Due to the economic and environmental benefits, he hopes the region will make a commitment to the goals of the RE+ Program. Councilmember Mercer discussed waste avoidance and behavior shifts, and Councilmember Lovett talked about educating the public concerning waste reduction and management.

G. Consent Agenda

It was moved by McHenry to approve this evening's consent agenda. The motion carried (5 ayes).

The Council approved:

1. Minutes for Committee of the Whole and Regular Meetings August 16, 2022; and
2. Payroll and Claims Approval in the Amount of \$1,182,386.34.

H. Scheduled Items

1. King County Fire District 45 Report

No report.

2. Duvall Police Report

No report.

3. Administration

- a. Short Term Rentals Discussion

City Attorney Kenny said short term rentals of homes were not envisioned or incorporated into the Duvall Municipal Code, so they are not permitted. If the Council would like to permit them, this would have to go into a work plan as a major item. Councilmembers briefly discussed possible negative impacts to neighborhoods, and convenience to the public by providing additional options for short term stays in Duvall.

- b. Waiving Council Rules for Virtual Attendance Option September 9

City Clerk McMillon said the special meeting will be for City Administrator interviews that will be conducted in executive session. There isn't public benefit to providing a virtual option, and it is important Councilmembers attend in person, so it would make the meeting run more smoothly if staff did not have to manage technology that day. Council Rules require a virtual option, however.

The Council by unanimous consent waived the Council Rules requirement that a virtual attendance option be provided at the September 9, 2022, special meeting.

I. Public Hearings

1. Extension of Sewer Moratorium

Mayor Ockerlander opened the public hearing on the proposed extension of the moratorium on connections to the City sewer at 8:14 p.m.

Public Works Director Leniszewski provided information about the progress of updates to the City's wastewater treatment plant. Staff and contractors are working as expeditiously as possible.

Shabbir Sharaf spoke on behalf of Anjuman-e-Burhani Seattle, a nonprofit representing the Dawoodi Bohra Muslim community. He said the nonprofit has been wanting to build a mosque for the last 25 years and owns land at 14434 Carnation-Duvall Rd. Work began on development permitting one month before the moratorium was enacted, which put undue burden on the group to practice their faith. He requested the Council provide a limited exemption to the moratorium to allow religious facilities to move forward within the next 30 days.

Shabbir Jamali spoke on behalf of Anjuman-e-Burhani. The nonprofit currently provides religious instruction to children in a warehouse space that is inadequate. The Dawoodi Bohra community wants to be a part of the Duvall community, and respectfully requests an exemption that would allow religious facilities to proceed with development permitting. He asked the Council to develop a process to allow religious institutions to move forward with development in the next 30 days.

Abbas Vanak of Anjuman-e-Burhani said the group is excited for the new mosque to provide a place for worship and religious education. The delay in construction created by the moratorium has resulted in a cost increase of 25% due to inflation, that will likely worsen with additional delay. The moratorium is costing thousands of dollars. Anjuman-e-Burhani is eager to work with the City on its mosque, and requests a limited exemption that would allow religious institutions to continue with permitting.

Huzefa Hararwala, representing Anjuman-e-Burhani, said inflation is one cost factor, but rental payments at the current warehouse facility also are on the rise, and represent the greatest expense to the nonprofit. Anjuman-e-Burhani would like to be a

contributing part of Duvall for many years to come. He requested the Council develop a process for religious exemption to the moratorium within the next 30 days.

Khadija Haveliwala, a member of the Dawoodi Bohra Muslim community, said she is a former student of the Anjuman-e-Burhani school. Currently there are no classrooms, desks or outdoor spaces for children to play. The program is critical to educating and developing children. The community looks forward to a state-of-the-art masjid that will allow children to feel empowered to learn. She strongly urged the Council to act based on the necessity of creating this space.

Hearing no further public comment, Mayor Ockerlander closed the public hearing at 8:29 p.m.

J. Unfinished Business

1. AB22-78 Ordinance Adopting Revised Salary Schedule for Non-Represented Employees

It was moved by McHenry to approve Agenda Bill 22-78, adopting an ordinance amending 2022 salary schedules. The motion carried (4 ayes).

The Council approved **Ordinance No. 1309**, “An Ordinance of the City of Duvall, Washington, Amending the 2022 Salary Schedules; Providing for Severability; and Establishing an Effective Date.”

K. New Business

1. AB22-81 Ordinance Extending Sewer Moratorium

Councilmember Shaffer said the request for an exemption is not the only one the City has received. He asked staff if there is a near-term solution that would allow projects to proceed on a limited basis. Director Leniszewski said the City is required to follow the restrictions placed by Duvall’s federal National Pollutant Discharge Elimination System permit, which regulates discharge of pollutants. Mr. Shaffer asked if construction could proceed without sewer connectivity, and Director Leniszewski said the municipal code requires a sewer and water availability certificate as part of the permitting process. Mayor Pro Tempore McHenry said these decisions are difficult, but the Council must protect health and safety.

It was moved by McHenry to approve Agenda Bill 22-81, Ordinance No. 1308, renewing for a period of six months the moratorium for connection to the City’s sewer system originally adopted through Ordinance No. 1286 and previously renewed for six months through Ordinance 1298. The motion carried (6 ayes).

The Council approved **Ordinance No. 1308**, “An Ordinance of the City of Duvall, Washington, Renewing the Six-Month Moratorium on Filing Applications Requiring

Connection to the City’s Sewer System Within the City Originally Adopted by Ordinance No. 1286 for Six Months and Renewed by Ordinance No. 1298 for an Additional Six Months; Providing for Severability; and Establishing an Effective Date.”

2. AB22-82 Contract for Painting City Facilities

Councilmembers discussed possible sources of funding for the project, which is to paint the interior and exterior of the Visitor Center, Depot and WRECK Center buildings. Finance Director Mason said she is comfortable using monies from the City’s American Rescue Plan Act (ARPA) grant.

It was moved by Mercer to approve Agenda Bill 22-82, approving the Small Project Public Works Contract with Bosley Energy Services, LLC, for construction services of the 2022 Multi-Facility Painting project for all bid items included in Schedules A and B with the inclusion of a 10% management reserve. The motion carried (5 ayes).

The Council approved a contract with Bosley Energy Services, LLC, for a total contract amount of \$125,235, including taxes, with the inclusion of a 10% management reserve, and authorized the Mayor to execute the contract.

3. AB22-83 2022 Community Forestry Grant Agreement

This item was removed by the Council during consideration of the agenda.

4. AB22-84 Contract for Information Technology Assessment

Finance Director Mason said Duvall’s contract with the City of Snoqualmie for Information Technology (IT) services expires by the end of this year. After talking with an IT manager from a different city and some IT service providers, staff decided to pursue proposals from firms interested in providing an IT assessment. The assessment would provide guidance as to how the City will continue to operate efficiently in the future.

Councilmembers discussed potential funding sources. ARPA funding could be used, Director Mason said, but there are also other options. The decision concerning a required budget amendment does not have to be made now.

It was moved by Shaffer to approve Agenda Bill 22-84, IT Assessment Contract with Ardor Digital, and authorize expenditure of \$21,695. The motion carried (5 ayes).

The Council approved a contract with Ardor Digital for an Information Technology Assessment, in the amount of \$21,695, and authorized the Mayor to execute the contract.

5. AB22-85 Schedule for Filling Vacancy in City Council Position 5

The Council reviewed a schedule for recruiting a Councilmember to fill a vacancy in Council Position 5 created when Michelle Hogg moved out of city limits. Councilmembers discussed recruitment efforts with City Clerk McMillon.


It was moved by Shaffer to approve Agenda Bill 22-85, approving the schedule for filling a vacancy in City Council Position No. 5. The motion carried (6 ayes).

L. Executive Session

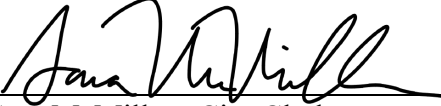
No executive session was held.

M. Adjournment

There being no further business and hearing no objections, Mayor Ockerlander adjourned the meeting at 9:03 p.m.

Signed 
[Amy Ockerlander \(Sep 30, 2022 10:39 PDT\)](#)

Amy Ockerlander, Mayor

Attest 

Sara McMillon, City Clerk






2022-09-06_Council Minutes_COW and Regular Meetings

Final Audit Report

2022-09-30

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