

## OBSERVER REPORT FORM

<b>Name of Agency</b>	Puyallup City Council	<b>Date of Meeting</b>	Nov. 10, 2020
<b>Observer Reporting</b>	Liz Knox	<b>Length of Meeting</b>	3hrs. 45 min.
<b>Members Present</b>	Mayor Julie Door, Deputy Mayor John Palmer, Council Members Robin Farris, Dean Johnson, Cyndy Jacobsen, Jim Kastama, and Ned Witting		
<b>Others Present</b>	City Manager Steve Kirkelie, Mary Winter, City Clerk, Kendall Wals and Katie Baker from Puyallup City Planning, City Attorney Beck, Barbara Lopez, Budget Manager, Hans Hunger, City Engineer, Tulika Makharia, Strategic Planning, Jack McCullough, attorney for Vector Corporation		

**Content:** What issue was discussed? Was some action approved? What discussion related to League positions or priorities? If discussion related to League priorities, do you recommend League action? What documents were made available about these issues?

### PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF AGENDA
2. CONSIDERATION OF MINUTES

2.a Minutes of September 22, 2020

**Minutes were approved as submitted.**

### CITIZEN COMMENTS

**Resident Shindle testified that he considers equity and inclusion to be very important and urges the council to make a statement about this and that they form an equity and inclusion commission in Puyallup so that the city is forward thinking and moving.**

**Resident Davida Haygood also spoke in favor of adding the value statement about diversity in their comprehensive plan and spoke in favor of an equity and inclusion commission to deepen the meaning of the statement about diversity in the plan.**

**Resident Chris Chisholm also spoke in favor of the value statement including diversity that has been included in the strategic plan. He spoke in favor of adding a goal for equity and inclusion into hiring for leadership positions going forward. He recommended that new positions should include women and people of color and that the makeup should reflect the diversity of the community.**

### 3. CONSENT AGENDA

1. 3.a Accept the work done by Tacoma Painting for the Puyallup Valley Sports Complex Backstop Painting Project as complete

2. 3.b Accept the work done by Sky Corp, LTD for the Milwaukee Bridge Rehabilitation, House Demolition and Rough Grade project as complete
  3. 3.c Accept the work done by GameTime for the Puyallup Valley Sports Complex- Playground Equipment project as complete
  4. 3.d Accept a CARES Act grant from the Washington State Library in the amount of \$8,000 for 20 Wi-Fi hotspots in the city
- 3.e Award a contract to KPG for the design of the 8th Ave NW LID Retrofit Project
6. 3.f Authorize the City Manager to enter a collective bargaining agreement with Local Union Number 313 International Brotherhood of Teamsters Chauffeurs, Warehousemen and Helpers of America (Teamsters Maintenance).
  7. 3.g Approve accounts payable, payroll, and electronic fund transfers of \$5,055,988.12

Warrant Register

**The consent agenda was approved unanimously.**

#### 4. PUBLIC HEARINGS

1. 4.a Public hearing and first reading of an ordinance relating to the 2020 Comprehensive Plan Amendments
  - A) Comp Plan Ordinance 2020
  - B) 2020 Comp Plan Cover Memo
  - C) L-20-0001 Staff Report

**Katie Baker, Planner, reviewed the criteria for changes in land use designations. Joe Beck, City Attorney, explained the quasi-judicial matters related to site specific decisions about zoning and that there should not have been any ex-parte contact between the petitioners and the councilmembers. If there had been contact, that can be cured by the councilmember publicly stating what the substance of that contact was. As long as that contact is clear and there is no conflict of interest, the councilmember does not need to be excluded from the decision.**

**Councilmember Kastama shared that he had received e-mails from citizens who advocated to approve of the zoning changes, but he had not responded to these e-mails. Attorney Beck said that this would be the type of communication that should be revealed. Robin Farris shared that she was also approached and the the majority of her contacts were not in favor. The contacts wanted to meet with her but she did not meet with them. Councilmember Jacobsen shared that she did receive e-mails and phone calls from citizens expressing their opinions on both sides. She expressed puzzlement about the ex-parte requirement and is unsure about the extent of her contact regarding this issue. Joe Beck indicated that if they had just received information, stating this is sufficient. If councilmembers have engaged in discussion related to zoning decisions, more specific information about those discussions must be clarified. Councilmember Witting shared that he had also talked with residents and believes they discussed annexation as opposed to zoning related to the Freeman Road decision. Joe Beck stated that e-mails related to these issues need to be brought into the record. Joe Beck shared that only site-specific zoning issues related to the Shaw-Pioneer decision are the quasi-judicial items.**

**Kendall Wals went on to describe the Freeman Rd. property and the proposed re-zoning and annexation next to the Fife city line. The Vector Corporation has requested these changes in order**

to put in an industrial warehouse. Wals shared several maps of the subject properties and the future State Route 167 in the area. She described some possible land use designations from moderate density, single family, multi-family residential, and industrial. Fife has encouraged a Moderate Density designation rather than industrial. Freeman Rd. currently has weight restrictions and there are complex issues to improving the road. WSDOT has been purchasing parcels in this area to serve the future extension of SR 167.

The Puyallup Tribe has expressed concerns related to reduction in housing opportunities, cultural resources, and water quality. The property currently is within the Puyallup Tribal land boundaries. Among other input, the Vector is recommending that zoning for light use industrial be granted given that it is within the planned SR167 extension and this will bring major changes to the area. The Planning Commission recommended rejecting this application by a 3/2 margin.

#### D) L-20-0002 Staff Report

Katie Baker reviewed the East Town Crossing application to convert the Shaw Road and Pioneer Southwest corner to be zoned from Auto Oriented Commercial to high density residential. She described the considerations the Planning Commission reviewed for this application. The Planning Commission unanimously recommended approving this application.

#### E) L-20-0003 Staff Report

Katie Baker reviewed a Cascade request for a redesignation for a portion of this 9.11 acre parcel on 25th St. and Shaw Road From single family to Auto Oriented Commercial (AOC) (approximately 20% of site) and High Density Residential (HDR) (approximately 80% of site). She described the Planning Commission considerations. The Planning Commission unanimously recommended approving this application.

#### Public Comment:

Mary Winter, the City Clerk, read the names of citizens who had submitted written statements regarding the Freeman Rd. application. Mayor Door then opened the meeting for citizens' comments:

- Resident Jan Asbjornsen shared that she has lived in the neighborhood near Freeman Road for many years and that she is not in favor of the request. She shared that the information that had been shared with residents has been erroneous.
- Resident Gil Hulsmann spoke related to East Town and Cascade requests. He is involved in developing both of these parcels and spoke in favor of both projects.
- Resident Steven Asbjornsen spoke regarding the Freeman Rd. request. He shared that the road is a real problem and a challenge to be upgraded. He shared several reasons that the area should not be zoned industrial.
- Resident Ms. Asbjornsen shared that she supports the Planning Commission's recommendation to deny the request.
- Resident Tyler Litzenger, the applicant on the Freeman Rd request, spoke. He requested that the Council leave the record open until Dec. 8. He shared that the land in the area is

increasingly industrial. He shared that there would be job creation related to this request and ask for more time to address the Council in the future.

- Residents Andre and Jane Tsitey spoke in agreement with the Planning Commission to deny the request. They like the residential neighborhood as it now stands.
- Residents Alisha Lane and Jereme Lane spoke in favor of the request. They shared that there are many industrial buildings already in the area.
- Resident Carl Shaman(sp?) agreed with the Planning Commission and the Puyallup Tribe.
- Attorney Jack McCullough shared that the city has a history of working with the Tribe and that the Tribe and Vector have been engaged in discussions already. He shared that areas surrounding this parcel have developed over the past many years and the conditions have changed with the planned Rt. 167 Extension and stated that the Planning Commission concerns have been addressed.
- Resident Mike Galloway spoke in favor of rezoning and annexing. He shared that the majority of residents are in favor of selling to Vector. He shared that Vector would improve Freeman Rd. and put in buffers between residences and industrial buildings.
- Resident Gina Groweth is interested in selling their property to Vector.
- Richard Johnson spoke in favor of selling their property to Vector.

Council comments:

Councilmember Kastama asked for clarification of the approval process. He asked if the requests can be considered separately. Attorney Beck indicated that all must all be approved as a unit on a first reading. Mayor Door asks what is the process if Council has concerns or wants more time on one of the requests. Attorney Beck said they could pass first reading for all but then ask for more information on one of them for a second reading. Deputy Mayor Palmer spoke in favor of the Shaw Road and Cascade requests, but had more questions regarding the Freeman Rd. request. He asked Kendall Wals to clarify which owners are in favor of the land use change and asked if parcels could be approved if the landowners agree with the proposal and not approved for those who do not agree. Wals indicated this could be difficult but mitigation with landscaping could potentially be utilized for this purpose. He asked about the Cultural Resources, transportation, and landscape buffering. Wal indicated that a requirement for review of these concerns would be part of any agreement.

Councilmember Jacobsen asked about a difference between Puyallup's maps and Pierce County's floodplane maps. Puyallup puts the Freeman Rd. property outside of the floodplane while Pierce County's maps does not. She asked about improvement to Freeman Rd. and indicated that this is a trust issue and that people are saying they don't trust the development Puyallup approves. She commented that she is trusting of the process to let development in if they are careful to mitigate the problems that they cause. She does not agree with all of the Planning Commissions concerns.

Mayor Door asked about any comments from the Tribe and Wal indicated that she hadn't heard from the Tribe. Robin Farris indicated that she had received a letter from the Tribe but Wal replied that her comment related to the SEPA application. Farris asked if the property is on the Reservation and Wal agreed that it is. Farris shared that she is in favor of getting agreement from the Tribe on this change.

The Mayor raised the issue of stormwater runoff and if there would be mitigation for this concern. Wal replied that the water runoff from the industrial rooftops would need to be treated. Farris brought up that the Tribe is concerned about salmon habitat. Given that concern she shared that

she would agree with the Planning Commission but that she felt badly for the residents who want to sell their homes to Vector. She would like to have more communication with the Tribe.

Councilmember Johnson shared that the concern is with the Freeman Rd and not the other two. He asks the attorney if the Council agreed with the Planning Commission on the second two and not with the first. He disagrees with the Planning Commission's recommendation and wants to move ahead with all three. Councilmember Witting spoke in favor of the second two proposals. He asked a logistical question given that Freeman Rd. is in Fife. He asks if anyone has worked with the City of Fife on this questions. Wal indicates that City staff has met with them but that it was unclear what the solution would be. In the event of approval, the two cities would work together on that. Witting indicated that he would like to give more time to gain more information. Mayor Door also stated that she supported the second two but not the Freeman Rd. project.

Councilmember Kastama stated that he approved of all three proposals. He agreed with Councilmember Witting about the Freeman Rd. questions. Jacobsen shared that she didn't agree with splitting out properties. She indicated that she is siding with the majority of the landowners and that she wants to trust that we have adequate treatment for stormwater etc. She shared that the Tribe is building a large warehouse near the property and that makes her skeptical regarding their objection. She says that the 3/2 split in the Planning Commission is a concern, but that she trusts that mitigation with the landscaping will address the concerns.

Councilmember Johnson made a motion to accept all three proposals as submitted by the applicants. Councilmember Jacobsen seconded. Mayor Door asks if Councilmember Johnson is asking for discussion or a vote. He says he is asking for a vote. Mayor Door asked Wal if she will have any more information regarding Councilmember Witting's concern regarding Freeman Rd. She said she is unsure. Deputy Mayor Palmer shared that this is Puyallup's industrial area, but that he is very sensitive to the City and residents of Fife and of the Tribe. He asked about where the building could possibly occur and what Vector is planning to build. He shared that he is right on the edge of voting to approve, but has concerns.

Councilmember Farris shared that she would like to have dialog with the Tribe since this property is on the reservation and will vote against anything involving Freeman Rd. without discussion with the Tribe. City Manager Kirkelie stated that Kendall Wals has talked with the Tribe, but having further dialog probably can't happen before Dec. 8 when the second reading would occur. Farris asked if she could contact the Tribe herself. Mayor Door asked for input from Attorney Beck and he urged caution but that it would not be illegal. City Manager Kirkelie recommended that the Council should send their questions to him and that he would approach the Tribe.

Councilmember Johnson asked if approving the first reading would include future steps that would involve the City of Fife and the Tribe. Councilmember Witting shared that he would approve moving forward in the first reading but he would need his questions resolved before he would approve it at second reading. Councilmember Jacobsen asked if they could get confirmation that the Tribe is building an Amazon warehouse in the same area and shared that she didn't receive the letter from the Tribe. Councilmember Farris offered to share the letter out. Mayor Door concurred with Witting that she had significant concerns and would advance a first reading but would have difficulty advancing a second reading without further information.

The first reading motion passed unanimously.

4.b Public hearing and first reading of an ordinance on the proposed City of Puyallup 2021- 2022 Biennial budget

2021-2022 Biennial Budget Ordinance

Exhibit A, Exhibit B

**Barbara Lopez presented the Biennial Budget Ordinance. This is the first time Puyallup has approved a biennial budget.**

Public Comments:

**Resident Sandy Hackbarth spoke for the Antiques District, objecting to redirection of funds away from the district. This year they received no funds which is a significant reduction. They request reconsideration.**

Council comments:

**Councilmember Farris asked about the redirection of these funds. Mayor Door clarified that this redirection was discussed and approved when the budget was developed. The hoteliers have commented that, according to their collected data from occupants, people don't come to Puyallup for the antique shopping. Councilmember Witting shared that he is concerned when one section of the community is favored over another, but he will vote to move this item on first reading. The first reading of the Budget Ordinance was approved unanimously.**

2. 4.c Public hearing and first reading of an ordinance determining and fixing the amount of funds to be raised by regular property taxes for 2021  
2021 Property Tax Levy Ordinance  
2021 Property Tax Levy Resolution

**Barbara Lopez shared information about the Estimated Property Tax and the items were passed unanimously on first reading. A 0% increase in Property Tax was approved unanimously.**

5. **ORDINANCES**

1. 5.a Second reading of an ordinance updating Puyallup Municipal Code (PMC) Chapter 21.07, Flood Damage Protection  
Draft Ordinance  
Code Section 21.07

**This was approved unanimously.**

2. 5.b Second reading of an ordinance extending the temporary Permit Fee Deferral Program adopted by Ordinance 3207 to June 30, 2021  
Draft Ordinance

**This was approved unanimously.**

3. 5.c First reading of an ordinance pertaining to budget adjustments made to the 2020 budget through October 30, 2020  
2020 Budget - Final Adjustments  
Exhibit A, Exhibit B

**This was approved unanimously.**

## **6. CONSIDERATIONS AND REQUESTS**

### **6.a Presentation: City of Puyallup Strategic Plan 2020-2022**

Draft City of Puyallup Strategic Plan

**Tulika Makharia presented an overview of the 2020-2022 Strategic Plan. As part of the process in implementing the plan, there will be a citywide National Community Service Resident Satisfaction Survey administered for the first time. Twenty-seven hundred houses will be randomly chosen to answer the survey. Other residents will be allowed to participate if they choose, but the results won't be mixed between the two groups. Cost for the survey will be \$12,500 and it is planned to administer it biennially. The Strategic Plan was adopted unanimously.**

### **6.b Update on City use of federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funding**

## **CITY MANAGER'S REPORT COUNCIL REPORTS**

### **MAYOR'S REPORT**

### **EXECUTIVE SESSION - Litigation ADJOURNMENT**

The City Council Chambers is wheelchair accessible. Those needing assistance with hearing devices should contact the City Clerk's Office (253-841-5480) the Friday preceding the meeting.

Council comments:

**Councilmember Jacobsen shared that she plans to continue her term on the council while starting her service in the legislature.**

**Councilmember Johnson thanked everyone who ran for office and congratulated those who won the support of voters. He thanked everyone for their prayers and urges people to continue to pray.**

**Councilmember Kastama thanked those who ran for office in the recent election for their courage and encouraged them to hold their heads high.**

**Councilmember Farris thanked the streetsweeper that went through the NW area and thanked him for his demeanor. She read a thank you for a new turn light to get onto the freeway. She had a meeting with seniors and via Zoom and plans to continue doing this on a regular basis. She thanked the council for their support.**

**Deputy Mayor Palmer shared his appreciation for democracy and for embracing the 'purple' nature of the Puyallup community. He expressed concern about rising COVID numbers and urged everyone to take measures seriously.**

**Mayor Door shared that Central Pierce plans to acquire the armory for a new station. Deputy Mayor Palmer and she is working with the Pierce County Transit on issue and will be bringing more information in the future to the Council. She shared that there is a website called [Piercemyrestaurants.com](http://Piercemyrestaurants.com) to support local restaurants. There will be a drive through light display at the fairgrounds. She offered condolences of the Crow family for the loss of treasured family member.**

**Process and Protocol:**

<b>Characteristic</b>	<b>Yes</b>	<b>No</b>	<b>Comments/Explanations</b>
Did members appear to have done their “homework”?	X		
Was material for the meeting made available to the public in advance?	X		
Were members courteous to each other and the public?	X		
How did the group respond to your presence?	No Response		
Other factors worth noting:			