

Snohomish City Council Meeting Minutes

May 1, 2018

1. **CALL TO ORDER:** Mayor Kartak called the Snohomish City Council meeting to order at 6:00 p.m., Tuesday, May 1, 2018, in the Snohomish School District Resource Service Center, George Gilbertson Boardroom, 1601 Avenue D, Snohomish, Washington.

MAYOR/COUNCILMEMBERS PRESENT

Larry Countryman
Steve Dana
Karen Guzak
John Kartak, Mayor
Tom Merrill
Linda Redmon
Jason Sanders
Lynn Schilaty

STAFF PRESENT

Pat Adams, HR Manager/City Clerk
Debbie Burton, Finance Director
Glen Pickus, Planning Director
Keith Rogers, Police Chief
Steve Schuller, City Administrator
Grant Weed, City Attorney

2. **APPROVE AGENDA** contents and order:

Mayor Kartak proposed an amendment to the agenda, adding an introduction of new City employee, Economic Development and Communications Manager Wendy Poischbeg.

MOTION by Guzak, second by Merrill to approve the amended agenda. The motion passed unanimously (7-0).

3. **APPROVE MINUTES** of the April 17, 2018 regular meeting.

MOTION by Guzak, second by Countryman to approve the minutes of the regular meeting. The motion passed unanimously (7-0).

4. **CITIZEN COMMENTS** on items not on the Agenda

Mayor Kartak welcomed the citizens to the meeting and discussed the procedures for providing citizen comments.

Suzanne Davis, 1018 13th, commented the nuisance commercial noise has increased at Hagen Foods and is now constant. Further, Fred Meyer is not abiding by their agreement. She has submitted eleven noise complaints. She requested the City put more effort toward abating the noise nuisances and adopt a noise ordinance.

Warner Blake, 230 Avenue B, noted Mary Low Sinclair arrived in Snohomish on May 1, 1865 (153 years ago today). He read a related excerpt from an essay he wrote for historylink.org in 2007. The essay can be read at snohomishstories.org. May is Historic Preservation Month. There will be a guided walking tour on May 6 of J.S. White's 19th Century Snohomish and a work party at the grave site.

Morgan Davis, 206 Avenue I, suggested the 20-acre proposed park at the new boat launch be named (Pilchuck) Julia's Boat Launch Park. He requested the Mayor's salary be studied and established by a Salary Commission.

Lanni Johnson, 422 Avenue A, questioned the Pilchuck District's development challenges and the proposed tax exemption. She views tax breaks as a last resort for encouraging development. She commented the boarded up homes and blighted neighborhood on Pine Avenue should be maintained or torn down.

Citizen Comments: Closed

5. **INTRODUCE** New Employee Wendy Poischbeg, Economic Development and Communications Manager

Mayor Kartak introduced Ms. Poischbeg and welcomed her to Snohomish. City Administrator Steve Schuller reviewed Ms. Poischbeg's background, which included ten years with Snohomish County in Economic and Cultural Development and approximately ten years with the City of Everett in the Parks and Recreation Marketing and Cultural Division. She has an extensive background in working with a number of local and state boards related to economic resources. Mr. Schuller thanked Councilmembers Schilaty, Merrill and Economic Development Committee Chair Melissa Rossi and Chamber of Commerce President Marci Volmer for their input and participation in the interview and selection process.

6. **ACTION ITEM: APPROVE** Transition to Biennial Budget 2019-2020 – **ADOPT** Ordinance 2349

Finance Director Debbie Burton stated the purpose of this agenda item is for the City Council to consider adoption of Ordinance 2349, establishing a biennial budget process. She explained in 1985, the Washington State Legislature adopted the Municipal Biennial Budget Act permitting all cities in Washington State to establish a biennial budget or two-year budget. The State law is found in RCW Chapter 35A.34. In order to establish a biennial budget, the City Council must adopt an ordinance at least six (6) months prior to the beginning of the biennium, and the biennium must start in an odd numbered year. Therefore, if the biennial budget were to start on January 1, 2019, an ordinance authorizing it would need to be adopted no later than June 30, 2018. Currently, forty-eight (48) cities have adopted a biennial budget process.

Advantages for moving to a biennial budget;

- the biennial budget process extends the planning horizon so that long term sustainable financial plans can be better aligned with the budgeting process rather than just balancing the budget each year;
- allows an opportunity for Council to focus on strategic planning;
- creates staff capacity to focus on longer term perspectives;
- capital project carryover will be allowed from year 1 to year 2 of the biennium; and
- reduces administrative staff time.

The biennial budget document will look similar to the 2018 budget document, with the exception of reflecting the additional year of information. A mid-year review and adjustment process must be conducted between September 1 and December 31 of the first year of the two-year cycle. Similar to a single year budget, a biennial budget may be amended as needed.

Citizen Comments: None
Citizen Comments: Closed

MOTION by Guzak, second by Schilaty that the City Council **ADOPT** Ordinance 2349, establishing a biennial budget process.

Councilmember Guzak noted the Council has discussed the transition to a biennial budget extensively over past years. She stated the conversion will make the City's budgeting process more efficient and assist the Council in its strategic planning.

Councilmember Merrill is concerned should Council adopt this Ordinance, the Council is granting a two-year spending credit to the executive branch of the government. He would like to see Council approval before the second year of spending begins.

AMENDED MOTION by Merrill, second by Sanders that the City **ADOPT** Ordinance 2349, with City Council review and approval of the budget prior to second year disbursements.

Finance Director Burton noted the City's Financial Management Policies could be amended to address Councilmember Merrill's concerns. The ordinance simply establishes the biennial budget process. Any addition controls could be referenced in the financial policies.

Councilmember Guzak does not support the amended motion. There are plenty of checks and balances and a quarterly review of the budget.

Councilmember Schilaty would like an illustrated example of Councilmember Merrill's concern.

Councilmember Merrill stated if the Council grants the executive branch full spending authority over two years of budget, he would like assurances of controls with Council oversight to prevent the spending of a two-year budget in one year. He wants to know what procedures override an ordinance.

Attorney Weed responded one of the checks and balances with an approved one or two year budget, is for example, salaries. Salaries are set in the collective bargaining agreements and are approved by the City Council. Council also has approval authority over Public Works contracts. Major Public Works projects are not funded until the Council has vetted those projects and provided approval of bids and related contracts. Additionally, the State Auditor requires all cities to have detailed procurement policies. Even though the budget is approved for certain types of projects, there is another check point when those projects come back to Council for consideration and approval.

VOTE ON THE AMENDED MOTION: The motion failed (2-5)

VOTE ON THE MOTION: The motion passed (5-2)

7. DISCUSSION ITEMS:

a. Police Quarterly Report

Police Chief Keith Rogers stated this agenda item is to provide an update on law enforcement activities from January through March 2018.

Chief Rogers reviewed the calls for service and noted calls were down first quarter 2018, and officer initiated activity increased in 2018. He explained officers are engaged and citizens are calling 9-1-1 less. These are good trend lines. He reviewed Snohomish property crimes and explained fraud and vandalism crimes are down.

He explained burglaries have exceedingly decreased in Snohomish from 2017, and vehicle thefts and other thefts are down. Chief Rogers indicated spikes in vehicle thefts occur in the summer months throughout Snohomish County.

He noted there are very low numbers for violent crime and a substantial decrease in vehicle collisions. DUIs went from 47 in 2017 to 41 in 2018. The number is large

because they reflect reported DUI events. There were actually 4 DUIs generating a case report.

He indicated the number one law enforcement issue in Snohomish is speeding traffic. Traffic concerns are addressed by:

1. Engineering – City staff works in partnership with the Police Department to identify and address areas of concern. For example, placing florescent flags on speed limit signs.
2. Education – The Police Department’s radar trailer is a key tool to educate the public about traffic safety. The unit is serviceable and in constant demand.
3. Enforcement - Due to citizen concerns, in addition to normal patrol enforcement, the Police Department conducted two special traffic emphasis on Pine Avenue with assistance from SCSO Motors. This resulted in 21 infractions, 12 warnings. (11 infractions speeding/10 other moving violations.)

Chief Rogers played a video from Community Outreach Officer, Deputy Niebusch who summarized recent community outreach efforts. Those efforts included:

- Easter Parade
- Coffee with a Cop (3 events)
- Business Watch (2 events)
- Neighborhood Watch (3 events)
- Public Safety Commission (3 events)
- Citizen Academy (4 events)
- School District/School Safety (4 events)
- Latino Outreach- St. Michael’s Church 200+ attendance
- Snohomish Police Department hosted Snohomish County 911 Dispatch Appreciation Day, with donations from several community businesses.

Additionally, Chief Rogers provided the Council with an update on the Weaver Way nuisance property situation, which resulted in the establishment of the Weaver Way Neighborhood Watch.

Further department activities included police records staff responding to 204 public records requests, issuing 35 concealed pistol licenses, and fingerprinting 30 School District employees. The Police Department also accepts free prescription medication drop offs and provides the public with needle collection kits received from the Snohomish Health District. The Police Department’s Twitter account has gone from 400 to 1,019 followers, and the department’s Facebook followers have increased from 3,700 to 4,127.

Councilmember Redmon would like an update on the two new deputies that completed field training and have recently joined the Snohomish Police Department.

Chief Rogers responded the Sheriff’s Office has a bidding process which occurs annually in February. There is also a transfer process. Three deputies submitted transfers as a result of the bid and some of those transfers are being honored as the year rolls out. Deputy Merrill will be going to south nights. Deputy Diffie will be on south days. Deputy Gibbons will also be coming to one of the Snohomish shifts.

Councilmember Sanders asked about the department’s outreach programs at the high schools and inquired if AIM High School is included. The Chief replied the focus has

been primarily at Snohomish High School. Councilmember Sanders supports the School District and Police Department reaching out to AIM High School. The connection would be beneficial.

Councilmember Sanders noted business owners have expressed concerns to him regarding their safety while opening their businesses in the early morning hours. He asked if there could be extra patrols in the downtown area at that time.

Chief stated he appreciates the business partnerships, and noted the department is looking at expanding their business watch program for First and Second Streets.

Councilmember Sanders asked about the department's educational outreach to the community during the summer months, when crime, such as burglaries and vehicle break-ins statistically tend to spike.

Chief Rogers stated he will primarily be utilizing social media and other forms of media to get the word out. He will also have the School Resource Officer available for added patrols during the summer months.

Councilmember Schilaty has also heard from citizens about the transient population in the Historic District late in the evening and early morning hours. She encouraged citizens to contact the police department to report any concerns, and would like the department to discuss their process for contacting the City at some of their outreach events.

Chief Rogers reiterated his intent is to expand the business watch in this area and contact information will be shared in a very engaged fashion.

Mayor Kartak thanked Chief Rogers for his informative presentation.

Citizen Comments: None
Citizen Comments: Closed

b. First Quarter Financial Report

Finance Director Debbie Burton stated the purpose of this agenda item is to review the financial statements through March 31, 2018. The 2018 Budget was adopted by the City Council on November 21, 2017, and quarterly, staff presents a financial report to inform the Council of actual versus budgeted revenues, expenditures and fund balances. The General Fund revenues (except property tax revenues received mainly in May and November), received to date are slightly below the overall quarterly target. Sales tax revenue, which is the largest portion of General Fund revenue source, is exceeding the quarterly revenue expected for this time in the budget year. However, the City just received the most current sales tax dollars and they are flat for the first time since 2014. While the City is seeing stable sales tax revenues exceeding previous year sources, staff is always cautious about the sales tax revenue source as the economy maintains. The CPI (Consumer Price Index) for February 2018 saw an increase of 3.3% before seasonal adjustments for the past twelve months and 0.8% since December 2017. This is attributed to the continual rise in gas prices.

Utility tax receipts are on track with targeted levels, and gambling taxes continue to exceed quarterly targets. License revenue is slightly above target and permit revenues are slightly below target.

Intergovernmental or shared revenues which include criminal justice and liquor profits are slightly below target for 2018. Other revenues include miscellaneous sources from

penalties, fines, facility rentals, interest income, sales of fixed assets, and a variety of other sources which are often hard to predict during the budget setting process and are just below targets.

For the 2018 first quarter ending March 31, 2018, General Fund revenue sources received are 22.9% of the adopted 2018 Budget.

General Fund expenditures as of the 2018 first quarter are below target, with the exception of Human Resources, where the annual WCIA and property insurance premiums are paid in full in January of each year. First quarter cost allocation charges have been imposed and staff is monitoring the cost allocation charges and will make adjustments if needed within a budget amendment.

Overall for 2018, General Fund expenditures are below budget target at 19.3% of the adopted 2018 Budget. The other funds are progressing as previously anticipated.

Citizen Comments: None

Citizen Comments: Closed

c. Long Range Financial Projection

Finance Director Debbie Burton stated as the City transitions to a biennium budget process, it is important to begin discussing the Council's long term service vision for the City. Each year during the budget process, and at each year-end financial report, a long range forecast has been presented to the City Council. The current forecast indicates in 2021, based on projections of 1.5% revenue growth each year and a 3% expense growth each year, the City's General Fund balance will dip below its minimum required fund balance reserve - which is 15% of annual expected expenses. Therefore, it is prudent the City begin planning immediately to avoid this situation. Ms. Burton and Mr. Schuller discussed preliminary assumptions regarding forecasting, as well as assumptions for expenses and strategic growth.

Councilmember Guzak inquired regarding the City Council's Annual Goals. She felt reviewing the goals in context to preparing the budget would be helpful. She would like to have the goals available as a reference for future budget discussions.

Councilmember Dana asked about the City's strategy for dealing with the Transportation Benefit District (TBD). It expires in 2020 and will result in a reduction of revenue for the City's transportation projects. Councilmember Dana noted the City has a compact urban growth boundary and he would like to see the City develop a strategy to protect and advocate for the urban growth boundary. There has been past considerable public outreach and discussions regarding extending the urban growth boundary to the north across Highway 2. The Council was instructed at that time the decision would be made at some point in the future. He thinks the Council needs to be vigilant. Growth will be taking place over a long period of time. The Council needs to be concerned with how to protect the City's future since there is only direction the City can grow. He would like to maximize the City's resources. There are underutilized properties impacted by critical areas. The Council needs to be discussing how to create incentives for development to ensure long term revenues. Concerning the Bickford Corridor, one of his pet peeves is off site mitigation for critical areas. One of the techniques to bring the properties back into economic use is to arrive at a method for mitigating them. This issue needs to be studied.

Councilmember Redmon commented in relation to economic development, the focus has been on how to grow housing, retail and business development. She emphasized what the City currently has is areas that can be used for programming. She believes

there are programming options the City can consider to bring additional events to the current and new City's parks. Festivals and events can provide an economic boost and would not be too difficult to achieve. There are so many resources the City is not currently adequately utilizing. She also noted the City's youth have great ideas for activities, which may result in economic improvements.

Councilmember Schilaty thanked staff for their excellent presentation. She noted there are opportunities in these challenges. One of the problems the Council faces when engaged in long term planning, is the world is changing very rapidly, and it's hard to anticipate what will happen in the future and plan for it. Further, Snohomish is constrained by its geography and the UGA to growth. The City made some good past decisions to preserve the Historic District, and situating the large box stores in the Bickford Corridor. Because of the Historic Downtown, tourism is a huge opportunity. The Economic Development Committee is looking very seriously at those opportunities. Additionally, with commercial flights now arriving at Paine Field, Snohomish can be the destination visitors will come to.

Councilmember Guzak thanked staff for their presentation. She noted the Pilchuck District is an example of preparing for long-term growth. She referenced a citizen comment concerning the Steuber's properties on Pine Avenue, where there are approximately five homes in various states of disrepair. She understands private property rights, but is interested in hearing about incentives the City can provide for redevelopment. She is aware cities have some rights for requiring dilapidated properties to make changes and upgrade.

Mr. Weed stated when a property becomes a public nuisance property, government may take some action. Generally, a public nuisance property has condition(s) that affect the neighborhood and community at large. In general, before a City can take action, it must meet the legal definition of a nuisance. He will brief the Council tonight on two bills related to the abatement of nuisance properties.

Councilmember Sanders stated it is critical to consider planning strategically up to twenty years in the future. As growth occurs within this region, it will inevitably affect Snohomish. He referenced the Economic Development Committee's report and recommendations. He believes it will provide a valuable roadmap for future discussions. He encouraged engagement with the community and youth concerning the future focus of the City.

Councilmember Countryman stated he would like to put his thoughts and ideas for expanding Snohomish on paper and present those ideas in detail at a future meeting. There are so many issues to address, such as the southern UGA. He has advocated for it to be brought into the City, but understands there are restrictions. He would also like to have some in depth discussions regarding the County property which sits in the middle of Snohomish and the best use for that property.

Councilmember Merrill stated there needs to be serious consideration given to the existing Economic Development Committee's list of priorities. In regard to the City's aging infrastructure, he would like to see costs estimates and a schedule for any related repairs or replacement of the infrastructure. He would like to make sure the youth are a part of the process, as they are the people the Council will be planning for in the future. The City needs to anticipate the meltdown of retail sales tax.

Councilmember Schilaty stated she was a member of the School District's Vision Forward Committee. It was an amazing experience. They discussed trends, future visions and what society may look like in the future, including potential impacts to education. She thinks it's an excellent idea to reach out to the community. This can be

done in a Town Hall forum or through establishment of a committee. This effort cannot be properly accomplished without citizen input. It is critical the Council engage and include the community they are planning for in this process.

Citizen Comments: None
Citizen Comments: Closed

8. CONSENT ITEMS:

- a. **AUTHORIZE** payment of claim warrants #62552 through #62599 in the amount of \$51,288.16 issued since the last regular meeting
- b. **AUTHORIZE** Mayor to Execute Contract with Talakai Construction for City Hall Front Counter Improvement Project
- c. **AUTHORIZE** the Mayor to Execute Supplemental Agreement No. 3 with BHC Consultants, LLC – CS Reduction Project Phase 2A

MOTION by Guzak, second by Countryman to pass the Consent Items. The motion passed unanimously (7-0).

9. OTHER BUSINESS/INFORMATION ITEMS:

Councilmember Guzak asked about the statewide ordinance regarding noise.

Mr. Weed explained there are state noise regulations, but nobody enforces them. The state regulations delegate to cities and towns to adopt their own code provisions. There are guidelines for the provisions cities and towns can adopt. There are variations, but many are complaint driven. When the City has compared its ordinances to other cities, there are some aspects of the City's ordinance that could be clarified. The outcome of issuing infractions is there are maximum dollar amounts to be fined. To some large corporations, the fine will be viewed potentially as a slap on the hand. The other tool is a public nuisance process. The City has briefed the prior City Council on the pros and cons of this approach. If the current Council would like to be briefed, he will do so at a future date.

Mayor Kartak indicated the current noise issues are a huge priority. He noted, Fred Meyer made the decision to keep their delivery hours quiet from 9:00 p.m. to 6:00 a.m. He surmised the delivery drivers may not have received this notice from corporate. There is some signage in the area, but it may not be sufficient. The conversation will continue. He thanked Councilmember Redmon for her assistance in this matter.

Councilmember Dana asked if there are physical noise mitigation measures that could be implemented. Mayor Kartak stated this is one of the many approaches being considered.

10. COUNCILMEMBER COMMENTS/LIAISON REPORTS:

Councilmember Schilaty attended the Economic Development Committee meeting last Tuesday. Ms. Burton provided an update on the Second Street Corridor project. The Committee is looking forward to working with Ms. Poishbeg.

Councilmember Guzak stated approximately 40 people celebrated the 49th annual Earth Day event on Sunday, April 22. The Carnegie Town Hall meeting was very well attended, positive and civil. She was pleased with the ARC proposal. Ms. Johns is also submitting a grant application to the state for park funds. The more funding brought to the Carnegie project, the better. She is pleased the Council has agreed to 30% design and the annex removal. She attended a meeting at the County with the Alliance for Housing Affordability.

The County Council has given \$500,000 of their REET money as a grant to support affordable housing in the County. The Request for Proposals will be available soon, and housing developers should come forward to request the money. It can be used as seed money for the purchase of property or securing additional financing for a multi-unit project. It is hoped this funding will help inspire a project. She is looking forward to the May 22 Town Hall meeting on homelessness.

Councilmember Merrill stated there are informational flyers available to the public located outside the Council Chambers announcing the Town Hall Meeting on Opioid Abuse and Homelessness scheduled for May 22. He attended an event sponsored by Leadership Snohomish County with Councilmember Redmon. The theme was Moving Racial Equity Forward. It was a day spent examining discrimination and the many ways it manifests itself. He participated in the Citywide Parks and Trails Clean-Up Day event and pulled weeds in front of City Hall.

Councilmember Redmon noted Deputy Niebusch's message tonight mentioned the complex web of support groups in the community. She is working with somebody who is trying to get the support groups to collaborate in addressing homelessness issues. She expects representatives from some of these groups will be attending the May 22 Town Hall meeting. She hopes to provide easier access for community members to work with these various groups. On April 19, she toured the needle exchange program in Everett. It was very professional and medically overseen. She witnessed non-judgmental and effective interactions with program participants. On April 20, she attended Step-Up offered by Leadership Snohomish County and they discussed institutionalized prejudices. She enjoyed the Carnegie Town Hall meeting and in seeing the ADA entry located at the front of the building. She also participated with Council President Sanders in the Red Cross – Sound the Alarm Campaign. Her team installed 19 alarms and one was in a room where somebody had died in a fire. On April 27, she met with the Executive Director of Leadership Launch, which is a program seeking to build leadership skills and potential in underprivileged youth. She would like to see a similar program for Snohomish youth. On Sunday, April 29, the Youth Council had their first meeting. The members have incredible leadership ability and she can't wait to see their accomplishments.

Councilmember Countryman and Mayor Kartak attended the Historic Downtown Association meeting. The Association discussed hiring a full time employee to manage their program, and downtown parking issues and possible solutions.

Councilmember Dana would like to see the reintroduction of RVs at Ferguson Park. He referenced the lack of motels in town. He noted when RVs were allowed at the park, people would come to Snohomish, park their RV in town and walk to shops and events. Friends and family could come to town in their RV and enjoy Snohomish without having to go to Flowing Lake or Monroe. He would like to discuss this with the Park Board, Economic Development Committee and the City Council in the future.

11. COUNCIL PRESIDENT'S ITEMS/REPORTS:

Council President Sanders clarified that he is not leading the discussion regarding the Mayor's salary. In regard to the opioid epidemic, he reiterated, the public has the ability to dispose of their prescription drugs at the Police Department. He encouraged citizens to clean out their medicine cabinets. He and Councilmember Redmon participated in a Red Cross campaign and went to one of the mobile home parks in Snohomish and installed smoke detectors for about 60 mobile homes. It will save lives. These mobile homes either did not have smoke detectors in them, or if they did, they were old and inoperable. Anybody who is interested in participating in this program should contact Council President Sanders directly. He participated in the Citywide Parks and Trails Clean-up Event. He was working at the trail outside of McDaniel's. The Youth Council had their first meeting on Sunday, April

29 with all ten student members. Also in attendance was Snohomish High School teacher, Ms. Cowan. The students discussed what they would like to accomplish by year end. They want to be the voice of all youth in Snohomish. They want to drive change and create positive experiences. The Youth Council will have another meeting on May 20, and are working on methods to ensure all the youth of Snohomish are heard. Ideas included on-line polling, Instagram and more. These students are amazing.

12. CITY ADMINISTRATOR'S COMMENTS:

Mr. Schuller announced the Association of Washington Cities plan to publish an article regarding the Snohomish Building Bridges group and how they are working to bring the community together. He noted the Snohomish Quarterly Magazine should be in mailboxes this weekend. This edition highlights the new Community Outreach Officer and Councilmember Larry Countryman. He requested the City Attorney Grant Weed update the Council regarding the removal of unauthorized persons from certain properties.

Mr. Weed stated there are two bills of interest passed by the legislature he would like to brief the Council on regarding nuisance properties. There have been ongoing problems throughout the country with occupancy of homes by unauthorized people and abandoned properties that turn into nuisance properties.

Mr. Weed explained Engrossed Substitute Bill (EESB) 5388 deals with "squatters." In legal terminology, they are called "Tenants by Sufferance" defined as someone who obtains possession of a property without the consent of the owner. Under this new law, if the police department can obtain a sworn declaration from the owner, the police have the authority to remove the unauthorized person from the residence. The elements to be met are as followings:

- 1) The declarant is the owner of the premises or the owner's authorized agent;
- 2) Unauthorized persons have entered and are remaining unlawfully on the premises;
- 3) The persons were not authorized to enter or remain;
- 4) The persons are not a tenant or tenants and have not been a tenant or tenants for the last 12 months;
- 5) The declarant has demanded that they vacate but they have not done so;
- 6) The premises were not abandoned at the time the persons entered;
- 7) The premises were not open to members of the public at the time the persons entered;
- 8) The declarant understands that persons removed from the premises by law enforcement pursuant to the declaration may bring a cause of action against the declarant for any false statements, and that as a result of the court action, the declarant may be held liable for actual damages, costs, and reasonable attorneys' fees; and
- 9) The declarant acknowledges the prohibitions in the Residential Landlord-Tenant Act against taking or detaining an occupant's personal property or removing or excluding an occupant from a dwelling unit or rental premises without an authorizing court order

If the above is followed, law enforcement can remove squatters from the premises. It's an alternative to the Unlawful Detainer process which is timely and expensive to property owners.

Mr. Weed explained the second bill, HB 2057 doesn't become law until June 7, 2018 and deals with situations where properties are under foreclosure and there is a lender involved. In 2016, the State Supreme Court entered a ruling in Jordan v. Nationstar that banks cannot access homes during mid-foreclosure, even if the home is abandoned and a nuisance. Partially, in response to this, the legislature passed this bill which provides that if the City is going to abate a nuisance, it can recover all documented costs by imposing a lien on the

property. It also allows the bank to secure homes and abate nuisance properties that are mid-foreclosure. If the banks fail to do so, cities can abate the nuisance property and recover their costs.

13. MAYOR'S COMMENTS:

On April 19, Mayor Kartak met with Renee Jensen, Chief Administrative Officer with EvergreenHealth Monroe. She will be making a Council presentation on June 5. He toured the needle exchange program in Everett. They were very thoughtful in their approach and answered all of his questions. On April 21, he participated in the Citywide Parks and Trails Clean-up Event. He noted 425 volunteers participated and donated 1,300 hours. He worked on the Interurban Trail where there was encampment debris, but there appears to be less each year. Mayor Kartak thanked all of the volunteers and expressed his sincere appreciation for their assistance. On April 24, he attended the Economic Development Committee meeting. He informed the community, the EDC meets on the fourth Tuesday of each month at 7:30 a.m. at City Hall. On April 24, he attended the Carnegie Project Town Hall meeting. He thanked ARC Architects for their presentation. He also attended the Park and Recreation Board meeting. Their meetings are held on the fourth Wednesday of every month at 6:00 p.m. at City Hall. The Board was working on planning for the joint workshop with the Council to be held on May 15. On April 26, he attended the annual breakfast with Forterra in Seattle. Forterra works on major conservation projects. They recently saved the pristine land surrounding Lake Serene. Governor Inslee also spoke at the meeting.

14. ADJOURN at 8:54 p.m.

APPROVED this 15th day of May 2018

CITY OF SNOHOMISH

ATTEST:

John T. Kartak, Mayor

Pat Adams, City Clerk