

**CITY OF UNIVERSITY PLACE  
MINUTES  
Regular Meeting of the City Council  
Monday, April 18, 2022**

**1. CALL REGULAR MEETING TO ORDER**

Mayor Worthington called the Regular Meeting to order at 6:30 p.m.

**2. ROLL CALL**

Roll call was taken by the City Clerk as follows:

Councilmember Keel	Present
Councilmember Wood	Present
Councilmember McCluskey	Present
Councilmember Flemming	Present
Councilmember Belleci	Present
Mayor Pro Tem Figueroa	Excused
Mayor Worthington	Present

Staff Present: City Manager Sugg, City Attorney Kaser, Engineering and Capital Projects Director Ecklund, Community and Economic Development Director Briske, Community and Economic Development Deputy Director Swindale, Finance Director Blaisdell and City Clerk Genetia.

**MOTION:** By Councilmember Belleci, seconded by Councilmember Keel, to excuse Mayor Pro Tem Figueroa's absence.

**The motion carried.**

**3. PLEDGE OF ALLEGIANCE**

Councilmember McCluskey led Council in the Pledge of Allegiance.

**4. APPROVAL OF AGENDA**

**MOTION:** By Councilmember Belleci, seconded by Councilmember Keel, to approve the agenda.

**The motion carried.**

**5. PRESENTATIONS**

Arbor Day Proclamation – Mayor Worthington presented Engineering and Capital Projects Director Ecklund a proclamation recognizing Saturday, April 23, 2022 to be Arbor Day in the University Place.

Parks Appreciation Day Proclamation – Mayor Worthington presented Park Advisory Commission Chair Stacey McLain a proclamation recognizing Saturday, April 23, 2022 as Parks Appreciation Day in University Place.

**6. PUBLIC COMMENTS** – The following individuals provided comment: Curran Orchard Resource Enthusiasts (CORE) Group (Debbie Klosowski, Sue Gurley, Kayla Williams, Kris Docherty, Rick Mercier, Larry Warwick, Barry Crust and Kayla Stewart); Chris Saunders, United for U.P.; Jim Lineweaver, 2610 Sunset Blvd.; Jill Gayen, 7710 54<sup>th</sup> Street West; Blake Gayen, 7710 Cirque Drive West; Kenn Triebelhorn, United for U.P.; Brent Johnson, United for U.P.; Steve Thorndill; and Frank Erickson.

**7. CONSENT AGENDA**

**MOTION:** By Councilmember Belleci, seconded by Councilmember Keel, to approve the Consent Agenda as follows:

- A. Approve the minutes of the March 21, 2022 and April 4, 2022 Council meetings as submitted.
- B. Receive and File: Payroll for period ending 03/15/22; Claims dated 03/15/22, 03/25/22 and 03/31/22.
- C. Authorize the payment of \$55,199.92 for the Rainier Communications Commission Invoice for 2022 membership dues covering January 1, 2022 through December 31, 2022.

**The motion carried.**

## **8. CITY MANAGER AND COUNCIL COMMENTS/REPORTS**

Engineering and Capital Projects Director Ecklund provided a report on recent grant awards the City received and grant applications the City is working on and looking into for various capital projects.

Councilmember Keel informed Council that AWC and Sound Transit are currently both in the process of looking for a CEO.

Councilmember Wood expressed his support for the idea of an inclusive playground in University Place and believes that a playground like it is an opportunity for a community project. He also thanked Director Ecklund and his team for their work on the grant applications.

Councilmember McCluskey reported that she will be attending the Pierce County Regional Council meeting this Thursday as an alternate for Mayor Pro Tem Figueroa. She also provided an update on Zoo Trek Authority.

Councilmember Flemming stated that he was impressed with the information presented by the United for University Place group on inclusive playground and supports the endeavor. He commended Director Ecklund and his team for the work they do to enhance amenities to the City.

Mayor Worthington reported that the City will resume its annual Music in the Square series event which will begin on July 20 as well as the Duck Daze event in June. In addition, he reported that he attended the Night of the Champions and the Career and Resource Fair at Curtis High School. Lastly, he reminded his colleagues of their Council Goals Workshop this Saturday.

## **STUDY SESSION**

### **9. COUNCIL RULES UPDATE**

City Attorney Kaser provided an overview of Council Rule changes that Council identified at its January 22, 2022 retreat: (1) Remote Participation; (2) Excused Absence; (3) Change in Council Comments; and (4) Change in Finance Committee Chair. He explained the proposed changes as follows:

Excused Absence – Under the revised Rule, Councilmembers would notify the Mayor, or if they cannot reach the Mayor, then the City Manager or City Clerk, that they will be absent. If they do so, the Clerk, during roll call, will simply announce that the Councilmember is excused. Councilmembers who do not comply with this method may still be excused upon motion (i.e., they may have been able to get ahold of another Councilmember).

Change in Council Comments - A sentence is added to the provision of the Council Rules relative to Councilmember comments. The proposed rule reads: The Mayor and Councilmembers may take this opportunity to make comments, extend compliments, express concerns, report to the Council as Board, Committee and Commission liaisons, or make announcements concerning any topic they wish to share. Councilmembers are encouraged to use this time to make reports on the activities, meetings, or issues arising from their service as a designated City representative to community or intergovernmental organizations or agencies.

Change in Finance Committee Chair: Effective December 31, 2023, the Finance Committee Chair would be, by rule, the Mayor Pro Tem.

Remote Participation – Attorney Kaser indicated that in the 2022 Legislative Session, the Legislature passed HB 1329 which made changes to the OPMA. This legislation focuses on two broad areas: (1) encouraging increased public access to meetings; and (2) clarifying those circumstances and processes governing remote meetings. It also encourages agencies to make available audio or video recording or provide on-line streaming and retain them for six months. Furthermore, agencies are now required to (except in emergency situations) provide at every regular meeting the opportunity to make written or oral public comment. If a member of the public will have difficulty attending the meeting, upon request, that individual shall have the opportunity to provide oral comment remotely if other members of the public provide oral comments at the meeting. The revised Rule change tracks the new statutory language, and allows remote participation of Councilmembers when a local, state, or federal emergency has been declared and the circumstances are such that Councilmembers or the public cannot attend in-person with reasonable safety because of the emergency. The gubernatorial proclamation governing the conduct of meetings remains in effect for the duration of the statewide emergency or until amended/rescinded.

A question was raised about public participation requirements. Council consented to move this legislation forward for consideration at a future meeting.

## **10. FEE ADJUSTMENTS**

Finance Director Blaisdell indicated that the City has various fee types that are approved by Council and that pursuant to the Budget Guidelines all fees for services should be reviewed by the City Manager at least every biennium, and adjusted by Council, when necessary, to ensure that fees are equitable and cover the percentage of service costs deemed appropriate by the City. She recalled that in December of 2021 Administrative Fees, Animal Control Fees, Facility Rental Fees, and Telecom Fees were reviewed, approved, and adjusted.

Community and Economic Development Director Briske reviewed the proposed adjustments to the Building Permit Fees and Land Use Fees. He recommended a 5% increase on all Land Use Fees (to be rounded to the nearest whole dollar); and for the City to adopt the February 2015 International Code Council (ICC) valuation data table that will increase the building permit fees by about 5% depending on the project. Director Briske also proposed to add a new Site Plan Review Fee of \$150.00 for primary structures and \$75.00 for additional and accessory structures (essentially for the review of zoning compliance); and a Telecommunications Eligible Facilities Request Fee of \$200.00 which would be in line with the new Telecommunications Ordinance the City adopted in June 2021. He recommended no changes to the following fee types: Development Engineering Fees, Fire Code Fees, Mechanical Code Fees, Miscellaneous Building Fees, and Plumbing Code Fees.

Director Briske indicated that the Building Permit and Land Use Fees were last increased in 2006 and 2009 respectively and that over time, without providing subtle adjustments, this will slowly increase the burden on existing taxpayers to cover cost of new development review. Since most permits are now paid with credit cards, the City's online services will provide added convenience for the applicants. He also noted that the CPI price has increased by over 40% since 2006, and that the average price for new construction single-family home is \$550,000 vs. \$890,000 within the last 12 months. With this, the percent of building permit fee to sale price is 0.79% in 2006 vs. 0.49% now, equating to a 38% reduction to the homeowner/builder. The proposed 5% increase will reflect a 0.53% building permit fee to sale price (equating to a 33% reduction in the cost of the building permit). Lastly, Director Briske showed valuation per square feet comparisons from neighboring jurisdictions for residential single-family, residential multifamily and business/office construction, as well as land use comparisons for short plats, preliminary and final subdivision, SEPA and variances.

Discussion followed regarding the ICC valuation and possible incremental steps for implementation; permit fee revenues; site plan review development process; codification of the ICC code implementation process; average cost to supplement fee supported services; credit card payment usage; and actual cost vs. cost recovery. A request was made for information on breakdown of actual cost of services (land use fees). A second study session will be scheduled at a future Council meeting to look at tiered steps to bring permit fees in line with the current ICC valuation table.

## 11. FORM-BASED CODE AMENDMENTS

Community and Economic Development Deputy Director Swindale discussed the proposed amendments to the Form-Based Code. He noted that the purpose of the amendments is to amend the Form-Based Code based on lessons learned during the first year of implementation and to correct the text and provisions that were unintentionally deleted, modified, or moved. The proposed revisions to the Form-Based Code include amendments to various Chapters of UPMC Title 19 as follows:

(1) Craft Production Facilities (Subsection 19.25.100, Industrial Use Category; Subsection 19.25.110 Use Table and Subsection 19.54.050 Land Use Standards Form-Based Code) – to reclassify and define Craft Production Facilities as a commercial use type and require a Conditional Use Permit in the Mixed Use Neighborhood, Mixed Use Urban and Mixed Use Center zones.

(2) Setbacks for Single Family Dwelling Units in Mixed Use Zones (Subsection 19.45.110 Density and dimension table notes) – to add to the Density and dimension table a note that indicates that density and dimension standards applicable in the R1 zone shall apply to the existing single-family homes and duplexes in mixed use zones.

(3) Mixed Use Design Standards – Glazing (Subsection 19.50.210 Windows) – Currently the ground floor glazing requirement only applies to the Storefront Overlay. The ground floor glazing should apply in all Form-Based Mixed-Use Zones. Proposed text amendment: 3. A minimum of 60 percent of the ground floor shall be in nonreflective transparent glazing.

(4) Form-Based Code Building types and standards (Subsection 19.54.060(A). Multiplex) - The minimum setback for a Multiplex is 5 feet. To accommodate more frontage types this should be increased to 10 feet.

(5) Form-Based Code Street grid and standards - In 19.54.080, 35th Street West, west of Bridgeport Way is identified as a Collector Arterial without On-Street Parking on the Form-Based Code Street Grid map; however, in the Street Type Locations table it is listed as a Commercial Street with or without On-Street Parking. Proposed Amendment: to list it on the Street Type Location table as it appears on the map and as it is constructed today.

(6) Parking (Subsection 19.60.050. Off-street parking spaces required for particular uses) - The table in UPMC 19.60.050 includes parking requirements for some uses that are no longer permitted and, conversely, does not include requirements for some uses that are now permitted. This occurred because use types were combined and/or renamed. Proposed amendments: to make the parking requirements consistent with list of use types.

Discussion followed with regard to categories of craft production facilities and how to address different levels of impact on different types of uses; there was question on eminent domain and how to protect it; and an interest in adding language in the Health and Well Being policy on inclusivity, diversity, and accessibility.

A second study session will be scheduled at a future Council meeting.

At 9:00 p.m., a motion was made and was carried to extend the meeting for 10 minutes.

Mayor Worthington invited feedback from Council concerning the upcoming retreat.

**12. ADJOURNMENT** - The meeting adjourned at 9:04 p.m. No other action was taken.

Submitted by,

Emy Genetia