



**CITY OF MOUNT VERNON  
CITY COUNCIL MEETING  
AGENDA  
October 14, 2020 6:00 p.m.**  
(Virtual Meeting)

*The Mount Vernon City Councilmembers will be participating in this meeting via video/teleconference technology.*

**To virtually attend the meeting, the public may:**

1. **Call the conference line:** 1-888-924-9240; Access Code: 3366211  
(please 'mute' your phone, if possible, to minimize distractions)
2. **Watch the meeting live on TV10:** Comcast/Xfinity Channel 10
3. **Watch the meeting live, online:**  
[https://www.youtube.com/channel/UCUob\\_hcQUmd4S93YkletdrA](https://www.youtube.com/channel/UCUob_hcQUmd4S93YkletdrA)

**I. OPENING CEREMONIES**

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call of Councilmembers

**II. CONSENT AGENDA**

- A. Approval of September 23, 2020 Regular Council Meeting Minutes
- B. Approval of October 5, 2020 payroll checks numbered 110284 - 110311, direct deposit checks numbered 78924 – 79145 and wire transfers numbered 899 – 903 in the amount of \$1,093,194.98
- C. Approval of October 14, 2020 Claims numbered 10443 – 10449, 10662, 10667 and 10669 – 10893 in the amount of \$2,480,537.38

**III. REPORTS**

- A. Review of Emails from the Public  
(All public comments must be sent via email to [council@mountvernonwa.gov](mailto:council@mountvernonwa.gov). The comments will be read aloud into the record during the public comment portion of the agenda. All comments must be received by 5 p.m. on Wednesday, October 14, 2020)
- B. Miscellaneous Department Updates
- C. Councilmember Comments
- D. Mayor's Report
  - Community Court Presentation
- E. Council/Committee Agenda Requests

**III. NEW BUSINESS**

- A. Public Hearing – Concurrency Exemption Request, Mager ENGR20-0067  
(This is a public hearing to allow testimony regarding a resolution authorizing an exemption to the otherwise required transportation improvements for the Mager indoor baseball facility project to be located at 200 Valley Mall Way.)  
(required action – resolution)  
(staff contact – Rebecca Lowell)

- B. **Project Acceptance – 2019 Sanitary and Storm Sewer Lining Project**  
(Staff is requesting that Council accept the work performed by Insituform Technologies for the 2019 sanitary and storm sewer lining.)  
(required action – motion)  
(staff contact – William Bullock)
- C. **Councilmember Healthcare Resolution**  
(Staff is requesting that Council approve a resolution to allow councilmembers to participate in the City's medical insurance program.)  
(required action – resolution)  
(staff contact – Erin Keator)
- D. **Approval of CityBase Kiosk Master and Hardware Agreements**  
(Staff is requesting that Council authorize the Mayor to enter into a Master Agreement and a Hardware Agreement with CityBase for the purchase, installation and services for an outdoor kiosk system.)  
(required action – motion)  
(staff contact – Doug Volesky)
- E. **Review of the 2021 Preliminary Budget**  
(City staff will be leading a discussion to review the 2021 Preliminary Budget.)  
(required action – none)  
(staff contact – Doug Volesky)
- F. **For the Good of the Order:**
- COVID-19 pandemic response and discussion
- G. **Executive Session**

**COMMITTEE MEETINGS**

Public Works and Library

Cancelled

Next Ordinance 3814  
Next Resolution 983



**DATE:** October 14, 2020

**TO:** Mayor Boudreau and City Council

**FROM:** Rebecca Lowell, Development Services

**SUBJECT:** PUBLIC HEARING CONCURRENCY EXEMPTION, MAGER INDOOR BASEBALL FACILITY, ENGR20-0067

**RECOMMENDED ACTION:**

Staff recommends that Council make a motion to authorize the Mayor to sign the accompanying Resolution approving a waiver to otherwise required transportation concurrency improvements for the subject development.

**INTRODUCTION/BACKGROUND:**

The City is processing a project that will result in the construction of an approximate 15,500 s.f. commercial building to be utilized as a recreational indoor baseball training facility on the below-described 2.05 acre site. A few new parking stalls, landscaping, potable water, sanitary sewer, storm sewer, and dry utilities (power, cable, fiber, etc) will be constructed/installed to serve the proposed commercial structure/use.

The project site has an address of 200 Valley Mall Way, is described by the Skagit County Assessor as parcel P106655, is located northwest of the intersection of Willow Lane and Riverside Drive on the east side of Interstate-5 with a portion of the SE ¼ of Section 18, Township 34N, Range 04 E, W.M. Please see the following vicinity map that identifies the approximate site boundaries with red dashed lines.



A summary of the permit process for the subject project is outlined below:

- **July 16, 2019:** Pre-Application meeting held.
- **March 9, 2020:** SEPA, Site Plan and Traffic Concurrency Permit submitted and determined to be counter complete.
- **March 30, 2020:** Traffic Concurrency Permit determined to be technically complete.
- **March 30, 2020:** SEPA and Site Plan Permit deemed technically *incomplete* for processing and staff provided a letter outlining the items that needed to be submitted to have technically complete permit.
- **June 12, 2020:** Applicant submits the items requested in Staff's March 30, 2020 letter.
- **July 1, 2020:** Staff requests additional information on Roosevelt Ave.
- **July 6, 2020:** SEPA and Site Plan Permits deemed Technically Complete.
- **July 9, 2020:** Notice of Application and Optional MDNS Issued with a comment period that ended on July 22, 2020.
- **September 8, 2020:** Final MDNS and Notice of Public Hearing Issued with a SEPA appeal period that tolled on September 17, 2020.

The City's traffic concurrency regulations contain the following exemption that allows City Council to grant an exemption from all (or any portions) of otherwise required transportation improvements when the Council finds that a development provides overriding public benefits:

*"The city council may grant a development an exemption from all or any portions of the concurrency LOS requirements upon adopting a finding that the development proposal provides overriding public benefits [MVMC 14.10.060(B)]".*

#### **FINDINGS/CONCLUSIONS:**

Without a waiver from Council this development would be required to construct curb, gutter, sidewalk, and road widening of either Roosevelt Ave or Valley Mall Way.

The City has identified an extension of Roosevelt Ave from Riverside Drive to the west in our Comprehensive Plan as a future road project. Currently, there is no public right-of-way within which Roosevelt Ave could be built. If the City required the Applicant to construct road improvements for the future Roosevelt Ave he would need to purchase approximately 700 linear feet of right-of-way (from the NE corner of the site east to Riverside Drive) from three (3) different property owners.

Valley Mall Way is a private road that would be difficult to create a City standard public road out of primarily due to it being constrained at its intersection with Riverside Drive. It is constrained because the Grocery Outlet (1333 Riverside Drive) and the multi-tenant building immediately south of Grocery Outlet (1301 Riverside Drive) have been constructed just 40 feet apart. City standard public roads serving commercial developments (such as this) are required to be 55 feet in width.

The subject development will be creating 27 PM peak hour trips. The traffic impact fees the Applicant will be required to pay would be \$30,375.00 if paid in 2020. Traffic impact fees are subject to an inflationary increase every year; which means if the Applicant pays these fees in 2021 or later they will be slightly higher.

The subject development is located in an area of the City that is almost built out and is surrounded by many existing commercial businesses.

Should Council approve the requested exemption, staff feels it is appropriate to require the Applicant to construct curb, gutter, and sidewalk across the northern extent of his property and provide a public access easement to the City over this area. This is requested so that the City does not have to pay for these improvements in the future when Roosevelt Ave. is extended.

Attached is the Transportation Concurrency Review for this project that contains the complete code analysis for the subject project and other relevant details.

**RECOMMENDATION:**

Council move to authorize the Mayor to sign the accompanying Resolution that would:

- Exempt the Applicant from having to construct  $\frac{3}{4}$  street improvements along either Roosevelt Ave or Valley Mall Way.
- Require the Applicant to construct curb, gutter, and sidewalk across the northern extent of his property and provide a public access easement to the City over this area.
- Require the Applicant to pay the requisite traffic impact fees.

**ATTACHED:**

- Proposed Resolution
- Transportation Concurrency Review dated September 16, 2020
- SEPA process and other procedural items

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF MOUNT VERNON, WASHINGTON, MAKING FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CONNECTION TO A TRANSPORTATION CONCURRENCY EXEMPTION FOR THE MAGER INDOOR BASEBALL FACILITY AT 200 VALLEY MALL WAY, CITY FILE NUMBER ENGR20-0067**

**WHEREAS**, an application for approval of a commercial development consisting of an approximate 15,500 s.f. building to be utilized as a recreational indoor baseball training facility with attendant site improvements has been made that comprises approximately 2.05-acres located at 200 Valley Mall Way in Mount Vernon, Washington; and

**WHEREAS**, the subject development has submitted permits for the SEPA process, site plan review, and transportation concurrency; and

**WHEREAS**, the required SEPA process has been completed with issuance of a Mitigated Determination of Non-Significance and the SEPA appeal period has tolled; and

**WHEREAS**, the Applicant is seeking an exemption of the otherwise required transportation concurrency improvements as allowed in MVMC 14.10.060(B); and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON AS FOLLOWS:**

**SECTION ONE.** That the City Council does hereby adopt the above listed recitals as set forth fully herein.

**SECTION TWO. FINDINGS OF FACT AND CONCLUSIONS OF LAW OF THE CITY COUNCIL.** The Mount Vernon City Council hereby finds that:

- A. **Exhibit 1** of this Resolution contains the legal description and exhibit map of the subject property. **Exhibit 2** of this Resolution contains a Transportation Concurrency Review dated September 16, 2020. Exhibits 1 and 2, by this reference, are hereby adopted, incorporated and made part of the Council's findings of fact.
- B. Without a waiver from Council development of the proposed approximate 15,500 s.f. commercial building to be used as an indoor baseball training facility would be required to construct  $\frac{3}{4}$  street improvements (curb, gutter, sidewalk, and road widening as per MVMC 14.10.080) to either Roosevelt Ave or Valley Mall Way from the project site east to connect with Riverside Drive.
- C. An extension of Roosevelt Ave from Riverside Drive to the west is identified in the City's Comprehensive Plan as a future arterial road project. Currently, there is no public right-of-way within which Roosevelt Ave could be built. If the City required the Applicant to construct road improvements for the future Roosevelt Ave the Applicant would need to purchase approximately 700 linear feet of right-of-way (from the NE corner of the site east to Riverside Drive) from three (3) different property owners.

- D. Valley Mall Way is a private road that would be difficult to create a City standard public road out of primarily due to it being constrained at its intersection with Riverside Drive. It is constrained because the Grocery Outlet (1333 Riverside Drive) and the multi-tenant building immediately south of Grocery Outlet (1301 Riverside Drive) have been constructed just 40 feet apart. City standard public roads serving commercial developments (such as this) are required to be 55 feet in width.
- E. The subject development is located in an area of the City that is almost built out and is surrounded by many existing commercial businesses.
- F. With an exemption to the  $\frac{3}{4}$  street and pedestrian improvements to Roosevelt Ave. and Valley Mall Way it is appropriate to require the Applicant to construct curb, gutter, and sidewalk across the northern extent of the subject property and provide a public access easement to the City over this area.
- G. On September 8, 2020 a notice of public hearing was mailed, posted on the subject site, and published in the Skagit Valley Herald providing notice of the public hearing held by the City Council on October 14, 2020.
- H. MVMC 14.10.060(B) provides City Council with the authority to grant an exemption from all, or any portion, of the otherwise required level-of-service (LOS) requirements upon adoption of a finding that a development provides overriding public benefits.
- I. City Council finds there is an overriding public benefit and wishes to authorize the subject development without requiring all of the transportation concurrency improvements that would otherwise be mandated by MVMC Chapter 14.10. This finding is made due to the following unique circumstances:
  - i. The proposed indoor baseball facility will be located in an area that is nearly built out with existing commercial developments.
  - ii. The Applicant would be required to obtain approximately 700 linear feet of public right-of-way before improvements to Roosevelt Ave could be made.
  - iii. No LOS deficiencies are created with the proposed development of the subject site.
  - iv. The proposed project is generating only 27 PM peak hour traffic trips.

**SECTION THREE. DECISION.** Based on the Recitals, Findings of Fact and Conclusions of Law outlined within this Resolution, the information presented by City Staff from the Development Services Department, the City Council of Mount Vernon approves, with conditions, a transportation concurrency exemption for the development of a site addressed as 200 Valley Mall Way to be developed as an indoor baseball training facility, City File Numbers: ENGR20-0067 (Transportation Concurrency), PLAN20-0092 (Site Plan Permit), and PLAN20-0093 (SEPA) without having to construct/install  $\frac{3}{4}$  street improvements along either Roosevelt Ave or Valley Mall Way from the project site to Riverside Drive.

This decision is made subject to compliance with the standards of the Mount Vernon Municipal code and the below listed conditions:

1. The Applicant shall construct/install curb, gutter, and a five (5) foot wide sidewalk across the northern extent of the subject property (approximately 228 linear feet) described and shown in **Exhibit 1** and provide a public access easement to the City for said curb, gutter and sidewalk.
2. The Applicant shall pay the requisite traffic impact fees as required in MVMC Chapters 3.40 and 14.10.

**SECTION FOUR.** City staff is hereby directed to complete preparation of the final Resoution, including correction of any typographical or editorial edits.

**SECTION FIVE. EFFECTIVE DATE.** This Resolution shall take effect and be in force immediately upon its passage.

**SECTION SIX. SEVERABILITY.** If any one or more sections, subsections, or sentence of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

**PASSED** by the City Council of the City of Mount Vernon this 14<sup>th</sup> day of October, 2020; and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jill Boudreau, Mayor

Attest:

\_\_\_\_\_  
Doug Volesky, Finance Director

Approved as to form:

\_\_\_\_\_  
Kevin Rogerson, City Attorney



**DATE:** October 14, 2020  
**TO:** Mayor Boudreau and City Council  
**FROM:** William Bullock, PE, - City Engineer  
**SUBJECT:** PROJECT COMPLETION: SS-2019-007, 2019 SANITARY AND STORM SEWER LINING

**RECOMMENDED ACTION:**

Staff recommends Council authorize the mayor to accept the work completed by Insituform Technologies on the 2019 Sanitary and Storm Sewer Lining Project.

**INTRODUCTION/BACKGROUND:**

Insituform Technologies has completed the 2019 Sanitary and Storm Sewer Lining Project. The project included installing CIPP liner in 4,454 linear feet of sanitary sewer mains, and 895 feet of storm sewer mains. The project was awarded on August 14, 2019, for \$699,406.77.

**FINDINGS/CONCLUSIONS:**

Project completion was achieved on August 10, 2020 in accordance with the plans and specifications. The final adjusted contract amount was \$737,756.73.

**RECOMMENDATION:**

Staff recommends accepting the work performed by Insituform Technologies for the 2019 Sanitary and Storm Sewer Lining Project.

**ATTACHED:**

None



**DATE:** October 14, 2020  
**TO:** Mayor Boudreau and City Council  
**FROM:** Erin Keator, Human Resources Director  
**SUBJECT:** MEDICAL INSURANCE FOR COUNCILMEMBERS

**RECOMMENDED ACTION:**

Staff recommends that Council approve the resolution that allows councilmembers to participate in the City's medical insurance program.

**INTRODUCTION/BACKGROUND:**

The City would like to provide councilmembers the option to enroll in the City's medical insurance plan at their sole expense. Councilmembers would pay their premiums and associated fees through payroll deduction creating no cost to the City.

**FINDINGS/CONCLUSIONS:**

None

**RECOMMENDATION:**

Staff recommends that Council authorize the Mayor to sign the Resolution Authorizing the City Councilmembers to Enroll in a Health Insurance Plan Currently Offered to Qualified City Employees.

**ATTACHED:**

Resolution

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF MOUNT VERNON  
AUTHORIZING THE CITY COUNCILMEMBERS  
TO ENROLL IN A HEALTH INSURANCE PLAN CURRENTLY  
OFFERED TO QUALIFIED CITY EMPLOYEES**

**WHEREAS**, the City of Mount Vernon purchases group medical insurance through Kaiser Permanente; and

**WHEREAS**, qualifying City employees have access to the Kaiser medical health insurance plans offered by the City; and

**WHEREAS**, the City does not currently provide health insurance coverage to the Councilmembers; and

**WHEREAS**, in accordance with Kaiser's rules for eligibility, the City may provide health insurance benefits currently being offered by the City to the City Council; and

**WHEREAS**, the City desires to provide elected officials the option to enroll in the City's health insurance plans; and

**WHEREAS**, pursuant to RCW 41.04.190, medical aid for elected officials is not additional compensation and further, the Councilmembers will pay the cost, through payroll deduction, to participate in one of the City's offered medical health plans through Kaiser; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mount Vernon as follows:

Section 1: City Councilmembers may enroll in, at their sole expense, the Kaiser medical health insurance plan being currently offered by the City to its qualified employees so long as the carrier specific underwriting rules are satisfied.

Section 2: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 3: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 4: This Resolution shall be in full force and effect on the date set forth below.

PASSED by the City of Mount Vernon, Washington and approved by its Mayor this \_\_\_\_ day of \_\_\_\_\_ 2020

**City Council of Mount Vernon, Washington**

\_\_\_\_\_  
Jill Boudreau, Mayor

ATTEST:

\_\_\_\_\_  
Doug Volesky, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Kevin Rogerson, City Attorney



**DATE:** October 14, 2020  
**TO:** Mayor Boudreau and City Council  
**FROM:** Doug Volesky, Finance Director  
**SUBJECT:** APPROVAL OF CITYBASE KIOSK MASTER AND HARDWARE AGREEMENTS

**RECOMMENDED ACTION:**

Staff is requesting that Council authorize the Mayor to enter into master and hardware agreements with CityBase for the purchase, installation and services for an outdoor kiosk bill payment system.

**INTRODUCTION/BACKGROUND:**

Due to the COVID-19 pandemic the City has been forced to close City Hall to the public until further notice. The City takes an estimated 800 to 900 walk-in utility payments each month from customers, not including drop box payments. The majority of these are cash payments so now they now have to find other ways of making payment. Many now purchase money orders to make payments and deposit in our drop box.

The City has been looking for alternatives to provide safer and more convenient ways for all of our customers to make their utility payments.

**FINDINGS/CONCLUSIONS:**

CityBase Kiosks were created for the public sector to provide an efficient and secure way for customers to make payments while practicing social distancing. This system completely integrates with the City's financial system and updates accounts in real time. It accepts cash, credit cards and checks and can be programmed to operate using a number of different languages with no user fees. It will be more convenient for customers, easier to use and is available 24/7. It will reduce operation costs and provides improved reporting functionality and revenue management. It is a secure system and is proactively monitored by CityBase.

There is also potential for use by other governmental entities in the future. These kiosks can accommodate multiple city, county, state and utility payments on a single device, such as all utilities, parking tickets, property taxes and other billings. The system has independent workflows and keeps all transactions separate, routed to the appropriate agency and validated to each individual financial system. Customers would then pay all bills in a single place in a single visit. The City could also share

the costs and maintenance of the kiosks if the City chose to move in this direction.

Council approved funding for this purchase from the CARES Act Coronavirus Relief Funds for a cost of \$84,825.

**RECOMMENDATION:**

Staff requests that Council authorize the Mayor to enter into master and hardware agreements with CityBase for the purchase, installation and services for an outdoor kiosk system.

**ATTACHED:**

CityBase Master Agreement

Exhibit A: CityBase Hardware Agreement



**DATE:** October 14, 2020  
**TO:** Mayor Boudreau and City Council  
**FROM:** Doug Volesky, Finance Director  
**SUBJECT:** REVIEW OF 2021 PRELIMINARY BUDGET

**RECOMMENDED ACTION:**

No action is required.

**INTRODUCTION/BACKGROUND:**

City staff will be leading a discussion with Council to review the City of Mount Vernon's 2021 Preliminary Budget.

**FINDINGS/CONCLUSIONS:**

None.

**RECOMMENDATION:**

None.

**ATTACHED:**

None.