



CITY COUNCIL MINUTES

Regular Meeting –via Zoom meeting # 883-1899-0360
Monday, February 7, 2022
7:00p.m.

CALL TO ORDER

Mayor Styron Sherrell called the meeting to order at 7:02p.m. and Councilmember Linden led the flag salute.

ROLL CALL

Present: Councilmembers Whitaker, White, Peretti, Ceder, Strader, Linden, and Whalen.
Absent: None

STAFF PRESENT

Police Chief Hernandez, Public Works Director Madden, Finance Director Robbecke, Planning Manager Angelie Stahlnecker, Senior Contract Senior Planner Port and City Clerk Summers.

ADDITIONS/DELETIONS

None

CITIZEN COMMENT

Richard Cosner, 7th Ave- Speed limit is still an issue with pass through traffic. Highway 99 is a speed trap. Lots of heavy trucks on Highway 99 that aren't being monitored any longer. Cars using the roundabout are going straight through and not using it. Would like to see traffic calming and speed limits lowered like was done in Tacoma.

Susan Johnson, 8th Ave- 1) Highway 99 needs a speed reduction. A traffic study needs to be done and updated since the last one was done in 2007. Speeding trucks and accidents are still happening on Highway 99, there is a problem that needs to be addressed by the city and state. One idea would be to drop speed on every street in the city, so it's no longer used as a pass through. 2) Would like to have the "Milton City Limits" sign coming from Federal Way replaced that was damaged; it would be nice to see what part of Highway 99 Milton is. 3) Parking bumpers on 19th just before 16th separate walking area from street -would be nice to have these installed along. 4) Would like to see service area fees reviewed for Edgewood service. With the growth Edgewood is experiencing, it is going to be taxing to our water system that supplies to the growth. 5) Does the city have any influence on having the parking lot of the Milton post office repaired?

Kristi Ceder, Emerald St.- Need enforcement and effort from city government to instill responsibility in all of us to slow down and obey the traffic laws and speed limits. The speeders are not all from out of town. Would support the speed limit being lowered in all of the city.

Tom Boyle, 9th Ave- 1) In support of speed enforcement and dropping speed limit on Highway 99 and police presence would help. 2) Would like citizen comment speaking time increased to 5 minutes. 3) Water increases have been raised by CPI consistently and with people on fixed income, the increase is large. Please review if the increase is really needed.

Jacquelyn Whalen, 13th Ave- 1) Would like to encourage a timer be purchased so the public can see the three-minute comment time counted down. 2) Regarding water rates, would like to know when the next water rate study will be done. Edgewood's extensive development is going to put drastic demands on our water system. Milton needs to be proactive and in tune with what our water customers need. 3) Regarding the WSDOT property acquisition- why aren't there reimbursement of easement fees in the agenda bill? 4) Would like to see council consider adding a citizen comment section at the end of the meeting so the public could add to the discussion. 5) Would like to see Milton get serious about speed limit and traffic calming so people don't get hurt.

CONSENT AGENDA

A. Check Approval Process

- a. Minutes Approval:
 - i. January 18, 2022, Regular Meeting
- b. Claims Approval:
 - i. Approval of the checks/vouchers/disbursements numbered 69651 to 69813 in the amount of \$574,031.61 for 2021.
 - ii. Approval of the checks/vouchers/disbursements in the amount of \$332,016.74 for 2022.
 - iii. Approval of the payroll disbursement for January 20, 2022, in the amount of \$177,045.44.

MOTION (Ceder/Whalen) "to approve the Consent Agenda." **Passed 7/0.**

PUBLIC HEARING – TITLE 17 RELIGIOUS INSTITUTIONS

Contract Senior Planner Port spoke briefly about the proposed amendments to Title 17 pertaining to non-residential land uses in the residential zoning district, including distinguishing religious institutions by size, separating pre-schools and private schools from the definition of religious institutions, and increasing the parking requirements. The draft was recommended by the Planning Commission after multiple discussion and holding a public hearing.

Council asked clarifying questions regarding how the number of spaces was calculated and data on calculations about how church tier categories were arrived at. Council also discussed the idea that the amendments would limit the rebuilding of a church should it be damaged in fire, etc.

Mayor Styron Sherrell opened up the Public Hearing at 7:24 PM and closed at 7:29PM.

Lori Schill-Puyallup A letter to Council was sent by email previously on this topic. There is a copy of that letter in front of you tonight as well. Husband and I are long time members of Beautiful Savior Lutheran Church. Church leadership and membership are concerned that if the amendments are approved, it would make the church non-conforming in the zone in which it's located. The church doesn't feel they have traffic or impact issues and don't feel they fit into the same category as a 92,000 sq ft church. Would like the city to reconsider the size tier categories for this amendment change.

REGULAR AGENDA

A. Parks Impact Fee Ordinance 2042-22 First Read

Finance Director Robbecke presented this item to Council. The City's parks impact fee is to be adjusted annually by the rate of inflation based on the annual change in the Engineering News-Record Construction Cost Index (CCI). The CCI for the past year is 7.4% so the fee will increase from \$1,747 to \$1,876 per dwelling unit.

Council commented that using this rate keeps us just at inflation and that if there is zero inflation, the rate would not be raised.

B. Transportation Impact Fee Ordinance 2043-22 First Read

Finance Director Robbecke presented this item to Council. The traffic impact fee is adjusted annually by the rate of inflation based on the Engineering News Record Cost Index (CCI). The CCI has increased by 7.4% this last year. The proposed change to the traffic impact fees is from \$4,476 to \$4,807 per p.m. peak hour trip.

Council had no comments.

C. Water Utility Rate Increase Ordinance 2044-22 First Read

Finance Director Robbecke presented this item to Council. The Milton Municipal Code provides for the water utility rates to be adjusted annually by the rate of inflation as based on the annual change in the Consumer Price Index (CPI) for the Seattle-Puget Sound area from the preceding June. The CPI has increased by 5.5% and this amount of increase is being proposed to increase the rate changes effective May 1, 2022.

Council commented on the increase and the need to support the work the utility needs to do to sustain itself and be able to pay for the cost of its operations that are unfortunately rising. Council discussed the idea of a tiered billing system and would like to see a rate study.

D. WSDOT Property Acquisition Approval

Planning Manager Stahlnecker presented this item to Council. As part of the Highway 167 extension project, WSDOT will need to acquire a portion of Milton-owned property located on the Interurban Trail as well as a temporary construction easement. WSDOT has offered a compensation amount of \$25,300. Council had several questions and concerns and asked for more information.

MOTION (Ceder/Linden) "move to table the discussion for the approval of WSDOT to acquire APN 042005-3023 (XXX 12th Street E) in association with the SR 197, I-5 to SR 509, completion project and compensate the city in the amount of \$25,300.00 until February 22, 2022."

Passed 6/1

COUNCIL REPORTS

Councilmember Whitaker-

- Nothing to add.

Councilmember White-

- Nothing to add.

Councilmember Peretti-

- Nothing to add.

Councilmember Ceder-

- Please vote in the levy election.
- Would like to see a Traffic Calming Commission be formed.

Councilmember Strader-

- Nothing to add.

Councilmember Linden-

- Noting to add.

Councilmember Whalen-

- The corner of 19th and Oak is backed up twice per day leaving the neighborhood isolated for a couple hours each day due to overcrowding of the street.
- Several pothole complaints – we do not fix potholes in business parking lots.

DIRECTOR REPORTS

Police Chief Hernandez-

- The last officer position has been filled as of right now.
- We are very busy right now, be careful!
- We are averaging one car stolen per day.
- Legislation is coming through to change the laws again.

Public Works Director Madden-

Nothing to add.

Finance Director Robbecke-

Nothing to add.

Planning Manager Stahlnecker-

Nothing to add.


MAYOR'S REPORT

- Thank you to all who joined in for public comment tonight.
- There will be no meeting next week, February 14th.
- City hall will be closed February 21st, our meeting will be Tuesday, February 22nd.
- Thank you, council, for all the discussion tonight on these very important topics.

ADJOURNMENT

The meeting was adjourned at 8:54 p.m.

ATTEST.



City Clerk



Shanna Styron Sherrell, Mayor

SUBMITTED FOR MILTON CITY COUNCIL PUBLIC HEARING - February 7, 2022

Dear Mayor Styron-Sherrell and members of the City Council,

We respectfully submit these comments on behalf of church leadership and the congregation of Beautiful Savior Lutheran Church, located at 2306 Milton Way, in consideration of the proposed code amendments pertaining to religious institutions.

We are concerned that the code amendments would make our church a nonconforming building and use. Beautiful Savior Lutheran Church has 21,085 square feet of total building space and is located in a multifamily residential zone (RM). The proposed amendments would define churches over 20,000 square feet as "regional" religious institutions and would prohibit them in all residential zones.

We ask the Council to consider the relatively small size of our church, and the clear differences in compatibility and impact to surrounding areas, when compared to significantly larger churches. Historically, small and mid-size churches like ours have been recognized as a compatible land use with, and generally permitted in, all residential zones. By contrast, the compatibility and impacts related to large churches (for example 92,000 sf) in residential zones raise much different and valid concerns. As such, it seems quite a leap to include substantially smaller churches under the same definition as a 92,000 sf church. Even a 40,000 sf church would be less than half that size, and our church is less than a quarter of that.

Beautiful Savior Lutheran Church is located in a "transition" zone between low and high density residential and near business. Existing uses are single family (to the north and west), apartments (to the east and south), and the business district (one parcel away to the east). The main church building is single story and is 19,316 sf. There is one detached single story rambler, 1,769 sf, occupied by our Pastor and his family. There are generous building setbacks from property lines and a wooded buffer along the north property line. As to bulk and scale, the church fits in well with surrounding uses.

Vehicle access, egress, and circulation operates efficiently. There are two driveways at Milton Way, and one at 23rd. Milton Way and 23rd are arterial streets. Meridian, a major arterial, is just blocks away. There are continuous sidewalks along the church's street frontage connecting pedestrians to both residential and business areas.

Our church endeavors to be a good neighbor. We participate in community outreach events such as Milton Days, and the Milton-Edgewood food bank is one of our ongoing missions. We have operated continuously in this location for 60 years, and to the best of our knowledge there have never been any public complaints about our church.

Public hearing February 7, 2022
Letter to Milton City Council

We do understand that we would be “grandfathered” as a legal nonconformance, and at this time church leaders have no plans to expand. However, with a nonconformance status attached to the property, even a minor addition would be prohibited, permanently, as well as rebuilding if totally destroyed by fire or other disaster. Being a nonconforming building and use may also affect property value and complicate insurance.

We respectfully ask the Council to consider raising the square footage limit for “neighborhood” churches. (For example, Edgewood allows churches under 40,000 sf in all residential zones, so maybe 40,000 sf is a reasonable threshold). Alternatively Council could add a mid-size definition for “community” churches, between “neighborhood” and “regional” churches.

Thank you for your attention and consideration,

Lori Schill, member, Beautiful Savior Lutheran Church

Ron Schill, Chair, Board of Elders, Beautiful Savior Lutheran Church

c: Angelie Stahlnecker, Milton Planning Manager
Trisha Summers, Milton City Clerk
Rev. Samuel Schuldheisz, Pastor, Beautiful Savior Lutheran Church
Terry Howard, President, Beautiful Savior Lutheran Church
Bob Kramp, Chair, Board of Trustees, Beautiful Savior Lutheran Church