

**CITY OF LAKE STEVENS
REGULAR CITY COUNCIL MEETING MINUTES**

Monday, January 9, 2012
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Vern Little

COUNCILMEMBERS PRESENT: Todd Welch, Kathy Holder, Kim Daughtry, Marcus Tageant, and Neal Dooley

COUNCILMEMBERS ABSENT: Suzanne Quigley and John Spencer

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Human Resource Director Steve Edin, Senior Planner Russ Wright, Police Chief Randy Celori, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Matt Carlman

Excused Absence. Councilmember Dooley moved to excuse Councilmember Quigley and Councilmember Spencer, seconded by Councilmember Tageant; motion carried unanimously. (5-0-0-2)

Guest Business. Matt Carlman, 1421 77th Drive SE, commented that an accident involving his family was not handled professionally by the Police Department. Mr. Carlman requested a full investigation. Police Chief Celori suggested Mr. Carlman contact the State Patrol or County Sheriff's Office.

Oaths of Office. City Clerk Scott swore in Mayor Little and new Councilmember Welch.

Consent Agenda. Councilmember Tageant (A. Approve December 2011 vouchers [Payroll Direct Deposits 905137-905262 for \$252,869.03, Payroll Checks 3297, 32801-32802 for \$4,904.05, Claims 32798-32899, 32909-32910 for \$210,571.12, Electronic Funds Transfer 404-407 for \$14,521.92, Void Checks 32746, 32717, 32781 for deduct of \$359.33, Tax Deposits 12.15.11, 12.30.11 for \$86,158.84 for total vouchers approved of \$568,665.63], B. Approve January 2012 vouchers [Claims 32900-32908 for \$266,772.70, Electronic Funds Transfers 404-413 for \$137,156.18 for Total Vouchers Approved of \$403,928.88], C. Approve Revised Professional Services Agreement for Child Interviewing Specialist Services with Dawson Place), seconded by Councilmember Holder; motion carried unanimously. (5-0-0-2)

Public Hearing and consideration of Ordinance No. 867, extending the moratorium temporarily restricting dispensaries and collective gardens relating to medical marijuana. City Clerk Scott read the public hearing procedure. Senior Planner Wright requested the six month extension to prepare regulations and specific zones for collective gardens.

Public comments. None

MOTION: Councilmember Dooley moved to close the public comment portion of the hearing, seconded by Councilmember Holder; motion carried unanimously. (5-0-0-2)

MOTION: Councilmember Daughtry moved to close the public hearing, seconded by Councilmember Tageant; motion carried unanimously. (5-0-0-2)

MOTION: Councilmember Holder moved to authorize 867 amending Ordinance No. 858 and extending the moratorium prohibiting the establishment of medical marijuana / cannabis dispensaries and collective gardens for an additional six months, seconded by Councilmember Tageant; motion carried unanimously. (5-0-0-2)

Approve minutes of November 28, 2011 regular Council meeting. Councilmember Holder noted that on the bottom of Page 66 the motion on docks should have Councilmember Dooley voting no.

MOTION: Councilmember Dooley moved to approve minutes of November 28, 2011 Council meeting with correction on bottom of Page 66 that he voted no on the motion that Quigley made on docks, seconded by Councilmember Daughtry; motion carried with Councilmember Welch abstaining. (4-0-1-2)

Approve minutes of December 12, 2011 regular Council meeting. Councilmember Holder noted that on Page 69 the word "questionable" should read "questioned".

MOTION: Councilmember Daughtry moved to approve with the noted change of questionable to questioned on the December 12 minutes, seconded by Councilmember Holder; motion carried with Councilmembers Welch and Tageant abstaining. (3-0-2-2)

First and final reading of Ordinance No. 868, collection agency. Finance Director/Treasurer Lowe noted the City has never used a collection agency. The City can charge a reasonable fee, payable by the debtor, to the outstanding debt owed without incurring additional cost to the City. The agency that the City is recommending requires only a 25% contingency fee, which is being set by this ordinance. The maximum contingent fee set by statute is 50% of the first \$100,000 of unpaid debt and up to 35% of the debt over \$100,000.

MOTION: Councilmember Holder moved to approve Ordinance No. 868, seconded by Councilmember Dooley; motion carried unanimously. (5-0-0-2)

Approve contract with Evergreen Professional Recoveries as collection agency. Finance Director/Treasurer Lowe noted that most of the outstanding balances owed are considered small. Four collection agency proposals were reviewed. Several cities use Evergreen who has the lowest collection fee.

MOTION: Councilmember Tageant moved to authorize the Mayor to sign the professional services agreement with Evergreen Professional Services, Inc. for debt collection services, seconded by Councilmember Daughtry; motion carried unanimously. (5-0-0-2)

SEPA code amendments update. Senior Planner Wright noted the current City code was adopted in 1992 with limited updates. The current code will be updated to match a model ordinance and authorize use of planned actions where the City can do upfront environmental

review. The next step is a public hearing before the Planning Commission. The plan is to adopt the new SEPA code in mid March.

Lake Stevens Center Subarea Plan Draft Environmental Impact Statement briefing.

Planning Director Ableman commented there is a public meeting this Thursday at 6:00 p.m. at the Fire District to introduce the draft EIS to the public. On January 23rd the subarea plan itself should be presented. Senior Planner Wright reviewed the EIS for Lake Stevens Center subarea which included objectives, scope of environmental review, alternatives, summary of impacts, and mitigation measures.

The 20th Street subarea will be presented in about 2-3 weeks.

Boards/Commission liaison assignments. The assignments will be discussed at the January 23 meeting. Councilmember Daughtry will continue with SCCIT.

Council Person's Business: Councilmembers reported on the following: Councilmember Daughtry – Chamber breakfast.

Mayor's Business: Mayor Little will be attending the legislative conference in Olympia at the end of month.

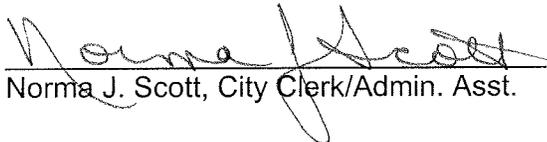
Staff Reports: Staff reported on the following: City Administrator Berg – reviewed the new monthly expense sheets for Council.

Executive Session. At 7:56 p.m. Mayor Little called for an executive session on four potential litigation items for 20 minutes with no action to follow beginning 8:00 p.m. At 8:20 p.m. the executive session was extended with no public present outside the Chamber. The executive session ended at 8:27 p.m.

Adjourn. Councilmember Daughtry moved to adjourn at 8:27 p.m., seconded by Councilmember Dooley; motion carried unanimously. (5-0-0-2)



Vern Little, Mayor



Norma J. Scott, City Clerk/Admin. Asst.