

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

Monday, July 13, 2015

Lake Stevens School District Educational Service Center (Admin. Bldg.)  
12309 22<sup>nd</sup> Street N.E. Lake Stevens

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

COUNCILMEMBERS PRESENT: Kim Daughtry, Sam Low, Todd Welch, Suzanne Quigley, Kathy Holder, Marcus Tageant

COUNCILMEMBERS ABSENT: John Spencer

STAFF MEMBERS PRESENT: City Administrator Jan Berg, Finance Director/City Clerk Barb Stevens, Planning and Community Development Director Rebecca Ableman McCrary, Public Works Director Mick Monken, Human Resources Director Steve Edin, Police Chief Dan Lorentzen, Senior Planner Russ Wright, Deputy City Clerk Kathy Pugh and City Attorney Cheryl Beyer

OTHERS: Senator Steve Hobbs

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**Excused Absence:** Moved by Councilmember Holder, second by Councilmember Low, to excuse Councilmembers Spencer and Quigley from the meeting. On vote the motion carried (5-0-0-2).

Councilmember Quigley arrived at 7:05 p.m.

**Guest Business:** Mayor Little introduced Senator Hobbs and reviewed the history of the Highway 9 Coalition.

Senator Hobbs, 3309 114<sup>th</sup> Drive NE, Lake Stevens, Washington said he was very pleased to report that the Legislature awarded \$70 million in the new budget for improvements to the Highway 9/SR 204 and 91<sup>st</sup>/SR 204 intersections. Cavelero Park also received \$500,000 in funding for the skate park, and Lake Stevens School District received a capital proviso for locking devices in the classrooms that will improve building security. Senator Hobbs thanked the City, the Chamber and the community for their active support and involvement.

Ken Allen, 2010 - 130<sup>th</sup> Drive NE, provided a copy of his May 19, 2015 Complaint Investigation Request. His concern is a manhole in front of his home that has settled and created a large dip that people drive around, causing them to drive on the wrong side of the street. He said this is a safety issue, especially during the school year, and requested the repair of the manhole be elevated on the priority list.

Chad Bitnes, 11118 - 20<sup>th</sup> Street NE, said he just purchased his home. He installed a fence and was notified by the City that the fence does not meet City code requirements. He was advised by City staff to apply for a variance. He has toured the City and observed lots of fences in the City that violate the code. Someone at the City said those fences would be "grandfathered" in.

He requested leniency on the code requirements for his fence and said the \$1100 fee to review a fence variance is excessive.

*Director Ableman-McCrary clarified portions of the code regarding fence requirements, and gave some history on the previous code enforcement action on the property. Director Ableman-McCrary offered to meet with Mr. Bitnes to continue this discussion.*

Mayor Little said that several people called and said they would be present to discuss a fireworks ban, but none are in attendance this evening.

### **City Department Report.**

#### **Consent Agenda:**

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve (A) 2015 Vouchers [Payroll Direct Deposits of \$141,341.91, Payroll Checks Nos. 38736-38737 of \$4,153.74; Tax Deposits of \$56,330.69; Electronic Funds Transfers (ACH) totaling \$172,371.39; Claims Checks Nos. 38738-38826 totaling \$211,603.92; Void Checks Nos. 38026, 36698, 37934 totaling \$733.07; Total Vouchers Approved: \$584,958.48; (B) June 22, 2015 City Council Regular Meeting Minutes; (C) Plat of Bayview – Acceptance of Right-of-Way Dedication; (D) Authorize Professional Services Agreement with Dick's Towing, Inc.; and (E) Adopt Ordinance 935 Amending the 2015 Budget. On vote the motion carried (6-0-0-1).

#### **Action Items:**

**Reappointment of Civil Service Commissioner:** Mayor Little said that Civil Service Commissioner Jim Palmer's term expired July 1, 2015 and recommended that Commissioner Palmer be reappointed to the Civil Service Commission.

**MOTION:** Councilmember Holder moved, Councilmember Welch seconded, to reappoint Jim Palmer to the Civil Service. On vote the motion carried (6-0-0-1).

#### **Approve Resolution 2015-07 Adopting and Approving Personnel Rules and Policies and the Personnel Policies Included within Chapter 10 of the Lake Stevens Police Department**

**Policy Manual:** Human Resources Director Steve Edin presented the Staff report and responded to Councilmembers questions. He noted there are minor corrections to punctuation and grammar in the draft Personnel Policies and a correction to the citation of Revised Code of Washington (RCW) regarding the Whistleblower policy. Chief Dan Lorentzen explained that Chapter 10 of the Lake Stevens Police Department Policy Manual (Lexipol) has been updated and revised to ensure consistency with the City policies and with the Collective Bargaining Agreement where applicable. Both the draft Personnel Policies and Chapter 10 Lexipol policies have undergone legal review by WCIA. Additionally the Police Guild and Teamsters Union have approved the draft Personnel Policies.

Discussion ensued regarding allowing for further review of the draft Personnel Policies or proceeding with action tonight. Staff advised the documents can be revised after they are adopted.

**MOTION:** Councilmember Low moved, seconded by Councilmember Welch, to continue Resolution 2015-07 to the next regular meeting of the City Council. On vote the motion failed (3-3-0-1-1) with Mayor Little casting the tie-breaking vote by voting against the motion.

**MOTION:** Councilmember Holder moved, Councilmember Quigley seconded, to approve Resolution 2015-07, Adopting and Approving Personnel Rules and Policies, Superseding Resolution No. 1995-6 and to approve the Personnel Policies included within Chapter 10 of the Lake Stevens Police Department Policy Manual excluding section 1001 Employee Evaluations. On vote the motion carried (3-3-0-1-1) with Mayor Little casting the tie-breaking vote in support of the motion.

**Discussion Items:**

**Executive Session:** Mayor Little announced an executive session for ten minutes to discuss potential litigation beginning at 7:33 p.m. and ending at 7:45 p.m. with no action to follow.

**I-502 Marijuana Regulations:** Senior Planner Russ Wright presented the Staff report and said two different people have inquired about co-location of more than one marijuana processing facility in a single building and wonder why there is a code restriction in place. Staff is seeking Council direction. Currently all facilities are located within about 600 feet of each other. Co-location will not change this density. Currently City code allows 100,000 square for these facilities city-wide, and with the current businesses and pending business applications, about 50% of the allowable density has been reached. Advantages to co-location may include better security and marketability of adjacent rental spaces.

Planning and Community Development Director Ableman McCrary commented on changes in the State marijuana laws just approved by the State legislature. The changes involve matching up medical and recreational marijuana regulations due to difficulties in regulating as the original legislation was drafted. These changes will necessitate the City making some changes to its City code. Council requested Staff bring back proposed changes to the City's code for further discussion.

**Council Person's Business:** Councilmembers reported on the following meetings:

Councilmember Low: Health District; Brett Nielsen of the University of Washington advised his students are available to complete another study this year and a suggested topic is a trail study; Councilmember Daughtry: American Public Transportation Conference for Community Transit; Snohomish County Coalition for Improved Transportation (SCCIT).

**Mayor's Business:** Met with Mark LeCamp, new Commanding Officer of Naval Station Everett; recruiting Oak Harbor business.

Mayor Little noted budget planning for 2016 is coming up and the budget committee was discussed.

**Adjourn.**

Moved by Councilmember Welch, seconded by Councilmember Holder, to adjourn the meeting at 8:04 p.m.



Vern Little, Mayor



Kathy Pugh, Deputy City Clerk