

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

Tuesday, February 9, 2016
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 John Spencer

COUNCILMEMBERS PRESENT: Kim Daughtry, Sam Low, Kurt Hilt, Todd Welch, Raichel McDaniel, Kathy Holder, Marcus Tageant

COUNCILMEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: Interim City Administrator Mary Swenson, Interim Planning and Community Development Director Russ Wright, Public Works Director Mick Monken, Human Resources Director Steve Edin, Civil Engineer Adam Emerson, Senior Planner Stacie Pratschner, Associate Planner Amy Lucas, Deputy City Clerk Kathy Pugh and City Attorney Cheryl Beyer

OTHERS: Boy Scout Brendan Welch from Troop 41

Call to Order: The meeting was called to order at 7:00 p.m. by Mayor John Spencer.

Pledge of Allegiance: Council President Sam Low introduced Boy Scout Brendan Welch from Troop 41, who led the Pledge of Allegiance.

Roll Call: All Councilmembers were present.

Guest Business:

Steve Ewing, 8617 11th Street NE, lives off Lundeen Parkway between Highways 9 and 204, expressed concern about the homeless camps in the area that impact his neighborhood, and he thanked the Lake Stevens Police Department and the Snohomish County Sheriff for their timely response to the neighborhood complaints of a motorhome in the area. Speaking on behalf of his homeowners' association, they would like to see the homeless issue addressed and are willing to work collaboratively to address this concern

Approval of Agenda: Council President Low announced that the Executive Session will take place immediately prior to the Study Session. Council President Low noted draft minutes of the January 29-30, 2016 Special Meeting/Retreat were distributed this evening and Council requested they be added to the February 23, 2016 consent agenda for approval.

Council President Low said the Council needs a liaison for the Planning Commission. Councilmember McDaniel will be the liaison and Council President Low will be the alternate.

Moved by Councilmember Hilt, seconded by Councilmember Welch, to approve the Agenda as amended. On vote the motion carried (7-0-0-0).

Council Business: Councilmembers reported on the following: Councilmember Daughtry: Sewer Utility Committee Meeting; Councilmember Low: Snohomish Health District; Planning Commission; Business Leaders Luncheon; Lunch with Fire Chief; Councilmember Hilt: Community Transit, Snohomish Health District; Councilmember McDaniel: Sewer Utility Committee Meeting; Fire Commission Meeting; Councilmember Holder: Family Center Board Meeting, Parks Board; Councilmember Tageant: Sewer Utility Committee Meeting; Marysville City Council.

Mayor's Business:

Mayor Spencer reported that the Parks Board is talking about two possible parks acquisitions, one in the Frontier Heights area and the other the Bonneville Ball Field.

Mayor Spencer recognized Civil Engineer Adam Emerson for outstanding performance and presented him with a certificate of merit.

Mayor Spencer presented his key suggested topics for the subcommittees as follows: Public Works and Transportation: (1) 20th Street SE and (2) partnering with the County on the major arterials of SR 92, SR 9 and SR 204 to achieve what he is calling a "clean city"; Economic Development: (1) 20th Street SE, (2) coordinating with the Lake Stevens Chamber of Commerce, and (3) the downtown subarea plan; Public Safety: (1) Obtain an understanding of the Police Department including what they do, how it is organized, and what pressures are involved in a police officer's day-to-day activities and (2) the homeless issue within the City, as a starting point for addressing the homeless issue at multiple city issues; Parks and Recreation: (1) Lundeen, Bonneville and Frontier Heights Parks, and (2) working with the Parks Board on their work plan; Finance, Budget and Internet Technology (IT): (1) obtain a full briefing of the budget status, and (2) what the City is and is not doing and (3) where the struggles are in the IT World.

Mayor Spencer also noted that he and Interim Administrator Swenson met with the County Council and County Executive Dave Somers regarding the City's initiatives including issues around the urban growth area and the homeless issue.

City Department Report.

Human Resources Director Steve Edin provided an update on recruitment and also said the City submitted its 2016 Wellness application.

Public Works Director Mick Monken reported on the tree removal at Lundeen Park, which was done for security purposes, and also thinning of other trees and removal of some large cottonwoods in the park, which are a safety concern.

Interim Planning Director Russ Wright said that building permit applications continue to be way up in 2016, and also that the 2016 Comprehensive Plan docket will be brought forward soon.

Interim City Administrator Mary Swenson recognized Associate Planner Amy Lucas who is leaving to work for the Snohomish County Parks and Recreation Department, and said that the City has requested Ms. Lucas be the county planner on the Cavelero Park project. Interim Administrator Swenson also noted the plans to attend National League of Cities in Washington D.C. are well underway and there may be an opportunity to meet with a federal lobbyist while in Washington, D.C. She also commended Public Works Director Monken and Interim Planning

Director Wright for their work with the lobbyists in Olympia in an effort to obtain the requested funding in the state's capital budget.

Consent Agenda. Moved by Councilmember Tageant, seconded by Councilmember Daughtry, to approve (A) 2015 Vouchers [Payroll Direct Deposits of \$142,761.40, Payroll Check Nos. 39753-39754 totaling \$4,109.82, Tax Deposits of \$57,680.02, Electronic Funds Transfers (ACH) of \$171,639.56, Claims Check Nos. 39755-39844 totaling \$182,348.67, Voided Check Nos. 38569, 38712, 38502 totaling \$1,424.28; Total Vouchers Approved: \$557,115.19]; and (B) January 25, 2016 City Council Special Meeting Minutes. On vote the motion carried (7-0-0-0).

Public Meeting: Deputy City Clerk Kathy Pugh opened the public meeting and read the rules of procedure for the record.

Brookside Division II (AKA Holly Division 3) Final Plat Acceptance and Right of Way

Dedication: Associate Planner Amy Lucas presented the Staff report and reviewed the history of the plat application and public process. Ms. Lucas said tonight's requested action is that Council accept the final plat and associated right-of-way dedication. She then invited Councilmembers questions and there were none.

Mayor Spencer invited any additional public comment and there was none.

MOTION: Councilmember Low moved, Councilmember Welch seconded, to accept the Brookside Division II final plat subdivision and associated right-of-way dedication. On vote the motion carried (7-0-0-0).

Action Items:

Approve Lexipol Updates to Chapter 1011 – Personnel Complaints: Interim City Administrator Mary Swenson presented the Staff report and said the changes add definitions and an outline of the disciplinary matrix to the existing Lexipol policy as to how personnel complaints are handled.

MOTION: Councilmember Hilt moved, Councilmember Daughtry seconded, to approve the Lexipol Updates to Chapter 1011 – Personnel Complaints. On vote the motion carried (7-0-0-0).

Approve Lexipol Update to Chapter 1013 – Seat Belts: Interim Administrator Swenson presented the Staff report and said the proposed revisions are intended to provide definitions and address specific issues such as transporting of children.

MOTION: Councilmember Holder moved, Councilmember Hilt seconded, to approve the Lexipol Updates to Chapter 1013 – Seat Belts. On vote the motion carried (7-0-0-0).

South Lake Stevens Road – Non-motorized Shoulder Widening Survey: Civil Engineer Adam Emerson presented the Staff report and said the requested action is to authorize Supplement No. 2 to the Master Professional Services Agreement for Surveying Services with Otak, Inc. to survey the South Lake Stevens Road non-motorized shoulder with the goal of the project being to widen the shoulder to at least 5 feet for non-motorized bicycle and pedestrian use. He then responded to Councilmembers' questions.

MOTION: Councilmember Low moved, Councilmember Welch seconded, to authorize the Mayor to enter into Supplement No. 2 with Otak, Inc. to provide survey services for South Lake Stevens Road Non-Motorized Shoulder Widening project in the amount of \$22,149.00 and to authorize a management reserve of \$6,000. On vote the motion carried (7-0-0-0).

20th Street SE Phase II (83rd to 91st Avenue SE) – Supplemental Agreement No. 3 – Right-of-Way Acquisition: Public Works Director Monken presented the Staff report and said that Council is requested to authorize the Mayor to execute Supplemental Agreement No. 3 to the Master Professional Services Agreement with Perteet, Inc. for right-of-way acquisition along the Phase II 20th Street SE project corridor. Director Monken then responded to Councilmembers' questions.

MOTION: Councilmember Holder moved, Councilmember McDaniel seconded, to authorize the Mayor to enter into Supplemental Agreement No. 3 with Perteet, Inc. in the amount of \$192,780.00 for right-of-way acquisition services and design completion. On vote the motion carried (7-0-0-0).

Approve Professional Services with Universal Field Services, Inc.: Director Monken presented the Staff report and said that the City and a private property owner have a mutual interest in exchanging/acquiring properties for the benefit of both parties. The requested action is to authorize the Mayor to enter into a Professional Services Agreement with Universal Field Services, Inc. to assist with the negotiations for this property exchange, legal services and for an appraisal update. Director Monken then responded to Councilmembers' questions.

MOTION: Councilmember Low moved, Councilmember Tageant seconded, to authorize the Mayor to enter the City into a Professional Services Agreement with Universal Field Services, Inc. for a contract amount of \$10,979.26 to assist in the private and public property exchange/acquisition, approve a management reserve of \$6,300 and authorize Staff to begin negotiation for the exchange/acquisition of the properties. On vote the motion carried (7-0-0-0).

Executive Session: Mayor Spencer announced an executive session for 10 minutes to discuss a personnel matter and pending litigation beginning at 7:55 p.m. and ending at 8:05 p.m. with no action to follow.

Council returned at 8:05 p.m. and the regular meeting reconvened at 8:08 p.m.

Study Session:

Introduction to Critical Areas Regulations: Associate Planner Lucas reviewed the Staff report, and said this item is being brought forward for Council's information because of changes to the Department of Ecology's Wetland Rating System, which mandates changes to the Critical Areas chapter 14.88 of the Lake Stevens Municipal Code. She reviewed the anticipated schedule for the project and then reviewed the scope of the project. Discussion ensued and Planner Lucas and Interim Director Wright responded to Councilmembers questions.

Proposed Amendments to Clearing and Grading Permit Regulations in Lake Stevens Municipal Code: Senior Planner Stacie Pratschner presented the Staff report and advised that the proposed changes are mandated by and outlined in RCW 36.70A.130 and as part of the Comprehensive Plan update process. Planner Pratschner reviewed the work program related to these amendments that the Planning Commission is undertaking, the areas defined for

consideration and the time schedule for the work program. She then responded to Councilmembers' questions.

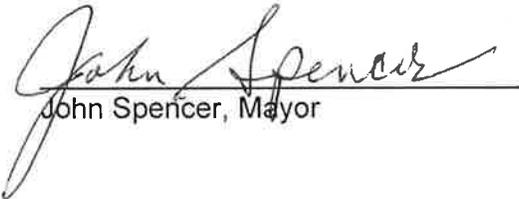
Updates to Sign Regulations in Lake Stevens Municipal Code: Senior Planner Pratschner presented the Staff report and provided a briefing on the impacts of a recent Supreme Court decision on local governments' regulation of non-commercial signage resulting in the need to amend the City's sign regulations. Planner Pratschner reviewed proposed changes to the City's sign code in light of this recent decision; she then responded to Councilmembers' questions.

Current Sign Fees: Interim Planning Director Russ Wright reviewed the Staff report and noted that Council has previously discussed sign fees and wished to review them. Staff has now completed a survey of adjacent cities and Snohomish County and noted there is not a consistent methodology for determining sign fees. Director Wright reviewed the methodologies for determining sign fees and said that following this survey Staff does not recommend any changes to the fee schedule at this time. Discussion ensued and Councilmember Low would like a simple, streamlined process, perhaps using templates; Councilmember Holder agreed. Councilmember Tageant said there is an issue when the fee for the sign outweighs the cost of the sign. Council would like staff to review if sign permit fees should be required.

Administrative Authority Alternatives: There was consensus to move this agenda item to the next regular City Council meeting due to the lateness of the evening.

Adjourn:

Moved by Councilmember Low, seconded by Councilmember Holder, to adjourn the meeting at 9:18 p.m. On vote the motion carried (7-0-0-0).



John Spencer, Mayor



Kathy Pugh, Deputy City Clerk