

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

Tuesday, March 22, 2016

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 Pro Tem Sam Low

ELECTED OFFICIALS PRESENT: Kim Daughtry, Sam Low, Kurt Hilt, Todd Welch, Rauchel McDaniel, Kathy Holder, Marcus Tageant

ELECTED OFFICIALS ABSENT: Mayor John Spencer

STAFF MEMBERS PRESENT: Interim City Administrator Mary Swenson, Finance Director/City Clerk Barb Stevens, Interim Planning and Community Development Director Russ Wright, Public Works Director Mick Monken, Interim Police Chief Ralph Krusey, Human Resources Director Steve Edin, Deputy City Clerk Kathy Pugh, City Attorney Cheryl Beyer, Mike Bredstrand, Public Works, David Carter, School Resource Officer, Police Sgt. Robert Summers, Seth Waltz, Public Works, Associate Planner Melissa Place, Jill Meis, Assistant Planner, Casey Howell, Permit Specialist and David Williamson, Building Code Compliance Officer

OTHERS: Wilma Daniels

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**Pledge of Allegiance:** Mayor Pro Tem/Council President Sam Low introduced Wilma Daniels, a very active volunteer in the community including with the Lions Club, who led the Pledge of Allegiance.

**Roll Call.** It was noted for the record that Mayor Spencer was absent from the meeting.

**Approval of Agenda:** Council President Low advised that a proclamation recognizing Nancy and Jim Mitchell is being added to the agenda, that there will be an executive session and that it will be moved to before the Action items, and that Consent Agenda Item H, Resolution 2016-05 Supporting Continued State Funding for Municipal Research and Services Center is being removed from the agenda.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Tageant, to approve the agenda as amended. On vote the motion carried (7-0-0-0).

**Guest Business:**

Don Hartleben, 11704 20<sup>th</sup> Street NE, Lake Stevens, said that the Liquor & Cannabis Board (LCB) has allotted one more retail store for Lake Stevens, and noted that there is a moratorium in place on new retail stores in the city until October. The LCB requires that all applications for marijuana retail stores be submitted by March 31. He is requesting from the City a special use variance on the moratorium so that he can obtain a limited and tentative City business in order

to proceed with his application to the LCB. This would be administrative and would allow him to proceed with his application to the LCB before March 31 deadline.

Council President Low recommended Mr. Hartleben contact staff to see if there is a way to proceed.

### **Council Business:**

Council President Low commented on the AWC Board of Directors recruitment and noted there are no Councilmembers who can apply at this time.

Councilmembers reported on the following: Councilmember Daughtry: National League of Cities Congressional Cities Congress; Sam Low: Representative Suzan DelBene is tentatively scheduled to visit and view the Trestle on April 6 at 9:30 a.m.; Councilmember Welch: Recognized Boy Scout Jared Eames who is attending tonight's meeting to finish his public speaking merit badge; Councilmember McDaniel: National League of Cities Congressional Cities Congress, Fire District Commissioners; Councilmember Holder: Small Craft Brewery, Distillery & Wineries-Build Your Business Forum; Councilmember Tageant: National League of Cities Congressional Cities Congress, Sewer District

**Mayor's Business:** None.

### **City Department Report.**

Interim Planning and Community Director Russ Wright: Online permitting update, Fire District growth trends presentation, Design Review Board-proposed signage for Trestle Station, two hearing examiner public hearings this week; Public Works Director Mick Monken: Update on fish roundabout landscaping plan and installation, Snohomish County provided an update on the status of the lake following three years of treatment for alum and phosphorus and the results show the plan is ahead of schedule; Interim Police Chief Ralph Krusey: Police Support Officer Brooks completed the animal control academy, the Facebook page should be running by the end of month, Citizens Academy; continuing to work with the City Attorney to address aggressive panhandling, camping, bikini baristas and a resolution for body cameras, Public Safety Committee meeting on Thursday, March 24 at 3:30 p.m., working with Guild to create a mid-shift for staffing from 1:00 p.m. to 1:00 a.m. which are the peak hours; Human Resources Director Edin: Healthy Workplace Summit, Assistant Planner Jill Meis will be Wellness Committee Chair, recruitment update; Finance Director/City Clerk Barb Stevens: February budget status report sent out to Finance Committee, first quarter update coming in April, credit card payments are now being accepted at City Hall, Police Department will be up and running very soon.

### **Recognitions:**

Council President Low read a Proclamation proclaiming March 26, 2016 as Nancy and Jim Mitchell Day.

Council President Low recognized outgoing Arts Commissioner Eileen Tietze, who was unable to attend this evening, for her contributions to the City.

Council President Low recognized the following employees for their years of service: Public Works crewmember Mike Bredstrand – 5 years, Public Works Director Mick Monken – 5 years, Police Sgt. Robert Summers – 10 years, Public Works crewmember Seth Waltz – 5 years.

Director Edin also recognized Police Detective Kerry Bernhard and School Resource Officer David Carter, who were not able to attend this evening, for 5 years of service.

Council President Low next recognized the Planning Department. He reviewed the high volume of permitting activity that has passed through the department to date this year and added there is a lot of work that goes on behind the scenes as well. The Council will be hosting a recognition lunch for the department in about two weeks.

Director Wright introduced members of the Planning Department as follows: new employees David Williamson, Building Inspector/Code Enforcement Officer and Melissa Place, Associate Planner. Director Wright also recognized Stacie Pratschner who was promoted from Associate Planner to Senior Planner and Jill Meis who was promoted to Assistant Planner from Permit Specialist.

### **Consent Agenda.**

**MOTION:** Moved by Councilmember Hilt, seconded by Councilmember Welch, to approve the consent agenda as amended: (A) 2016 Vouchers [Payroll Direct Deposits of \$139,958.66, Payroll Check Nos. 40041-40042 totaling \$4,297.85, Tax Deposits of \$57,835.09, Electronic Funds Transfers (ACH) of \$4,747.86, Claims Check Nos. 40043-40106 totaling \$142,656.85, Void Check Nos. 39932 and 39699 totaling \$483.03, Total Vouchers Approved: \$349,013.28]; (B) March 15, 2016 City Council-Park Board Workshop Meeting Minutes; (C) March 15, 2016 City Council Special Meeting Minutes; (D) Ordinance 952-2016 Budget Amendment No. 1; (E) Authorize Mayor to Sign Contracts for Music on the Lake and Movie in the Park; (F) Authorize Mayor to Sign Contract with eCityGov.net for Applicant Tracking Software; (G) Composition of Downtown Subarea Plan Citizen Advisory Board; and (I) Authorize Mayor to Send Acquisition Letter Under Threat of Eminent Domain.

Council President Low requested that item (B), March 15, 2016 City Council-Park Board Workshop Meeting Minutes be corrected to remove the reference in the body of the minutes to Mayor Spencer opening the meeting.

On vote the motion carried with the correction to Item (B) and the removal of Item (H) (7-0-0-0).

### **Public Hearing:**

**Public Hearing in Consideration of 2016 Comprehensive Plan Docket and Approval of Resolution 2016-06 Adopting 2016 Comprehensive Plan Docket.** Deputy City Clerk Kathy Pugh opened the public hearing and read the public hearing procedures for the record.

Interim Planning and Community Development Director Russ Wright presented the staff report and said that at the conclusion of the public hearing staff will ask that Council approve Resolution 2016-06 Adopting the 2016 Comprehensive Plan Docket. Director Wright explained that the Growth Management Act provides a process for annual updates to the Comprehensive Plan and that adopting a docket allows for the proposed annual updates to be analyzed further by staff and then brought back for consideration by Council at a later date in the year. Director

Wright reviewed the proposed 2016 Comprehensive Plan docket and noted that two of the requests are citizen-initiated amendments to the land use map with associated rezones, and the remaining docket recommendations consist of City-initiated changes to the map, text amendments and procedural amendments. Director Wright briefly reviewed each of the proposals. He then responded to Councilmembers' questions.

Council President Low invited public comment from the audience.

Sally Jo Sebring, 1023 – 99<sup>th</sup> Avenue SE, Lake Stevens, commented she does not agree with the affordable housing element of the Comprehensive Plan and said that she is concerned about the proposed changes to the Land Use Map. She believes that if the proposed changes go through, existing homeowners living in owner-owned homes will be removed in an effort to provide additional, higher density affordable housing.

**MOTION:** Councilmember Daughtry moved, Councilmember Holder seconded, to close the public comment portion of the public hearing. On vote the motion carried (7-0-0-0).

**MOTION:** Councilmember Welch moved, Councilmember Hilt seconded, to close the public hearing. On vote the motion carried (7-0-0-0).

**MOTION:** Councilmember Holder moved, Councilmember Hilt seconded, to approve Resolution 2016-06 ratifying a list of docket items for further analysis for the 2016 Comprehensive Plan Docket.

Councilmember Tageant disclosed for the record that he has a client in the area of the proposed Land Use Map changes, but not in the modified area of the proposed Land Use Map Changes.

On vote the motion carried (7-0-0-0).

**Executive Session:** Council President Low announced an executive session to last for 10 minutes beginning at 7:50 p.m. and ending at 8:00 p.m. to discuss property acquisition and/or potential litigation, with no action related to the executive session to follow.

### **Action Items:**

**Approve Ordinance 953 Authorizing Condemnation of Land for Purposes of Grade Road Repairs:** Public Works Director Mick Monken presented the staff report and said that approval of this ordinance will allow the City to proceed with a condemnation lawsuit if the City is not able to reach agreement with the property owner regarding possession and use of the property to perform the needed repairs to Grade Road. Director Monken said the closure of this road affects several thousand people daily as well as emergency response, and reminded that there continues to be evidence of further and ongoing degradation to the roadbed requiring emergency repairs as soon as possible and a permanent repair later in the year. Director Monken invited Councilmembers' questions and there were none.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Daughtry, to adopt Ordinance 953 authorizing the condemnation, appropriation, taking and damaging of land and other property for purposes of repair and ongoing maintenance of the east embankment of Grade Road situated within Snohomish County Tax Parcel 290605-003-022-00. On vote the motion carried (7-0-0-0).

Authorize Mayor to Enter into Agreement for Biosolids Cleanup: Director Monken said that tonight's requested action is to authorize a \$50,000 contract for biosolids cleanup of the homeless encampments that were recently cleared of inhabitants. There is currently not a contract under consideration with a service provider but this action would allow staff to move forward quickly with a contract process so that this hazardous waste cleanup can be completed expeditiously. The City considered piggybacking with City of Seattle's contract, but there were discrepancies in that contract that did not apply to Lake Stevens' service needs. Staff is currently putting together a bid process and approval of this action request would allow staff to move forward as soon as a contract is executed. Director Monken then invited questions from Councilmembers.

Councilmember Holder commented that it is large amount of money and asked if this will be one big project or a lot of smaller projects that would eventually need more funds. Director Monken responded that it will be one big project broken down into several elements. He said that the actual number of encampments that need cleaning is unknown, and the scale of work is also unknown. Director Monken explained that for each site, the contractor would be paid to make a determination as to cost of cleanup, staff would approve that cost and then the cleanup would take place. One element includes a house on 20<sup>th</sup> that has been cleared and needs to be demolished.

Council President Low agreed that it is a large amount of money, and noted there is not a beginning and end date proposed. Director Monken anticipated the contract would run through December 2017. He said that he has talked with other cities and some cleanups can be as low as \$3,000 to \$4,000, and others are much more costly. It depends on the size of each site and what is found at each site. There are also questions about how private property will be handled. Director Monken anticipated it will take about a month to get the contract in place, including a bid process.

Discussion ensued and Director Monken said there are two companies that would be asked to bid, BioClean, located in Lake Stevens, and ServPro, located in Snohomish, and also there would be advertising so there may be more companies that will submit bids.

City Administrator Swenson reviewed the process for cleaning out each camp, beginning from contacting the residents, to posting the site, to clearing residents out and proceeding with the cleanup. She expressed concern that these camps pose a hazard to the general population and that if they are not dealt with immediately new camps will continue to pop up.

Council President Low commented that he understands the need, but that the requested action seems premature and he would like to see the contract and know the company that the contract is awarded to. He suggested it would be good to have one to three companies on call to provide biohazard cleanup.

Councilmember Welch disagreed and commented with the approval the City can move ahead.

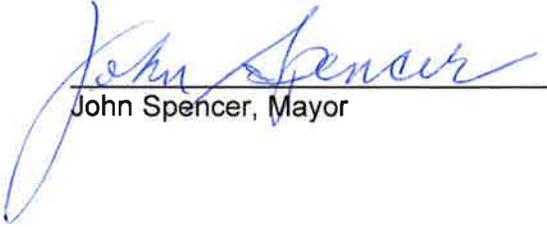
Councilmember Hilt agreed with Councilmember Low's comments, and added this needs to be an April priority and not a spring priority.

There was consensus by Council to proceed with a bid process and bring a contract back for consideration at the April 12, 2016 regular City Council meeting.

**Study Session:** None.

**Adjourn:**

Moved by Councilmember Tageant, seconded by Councilmember Hilt to adjourn the meeting at 8:23 p.m. On vote the motion carried (7-0-0-0).

  
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John Spencer, Mayor

  
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Kathy Pugh, Deputy City Clerk