

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

Tuesday, May 24, 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 John Spencer

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

ABSENT: None

STAFF MEMBERS PRESENT: Interim City Administrator Mary Swenson, Finance Director/City Clerk Barb Stevens, Community Development Director Russ Wright, Public Works Director Mick Monken, Interim Police Chief Ralph Krusey, Lt. Bob Summers, Officer Chad Wells, Human Resources Director Steve Edin, Deputy City Clerk Kathy Pugh and City Attorney Cheryl Beyer

OTHERS: Dr. Robert Mitchell, Director of Community Disaster Medicine

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**Pledge of Allegiance:** Council President Sam Low introduced Dr. Robert Mitchell, who led the Pledge of Allegiance.

**Roll Call:** All present.

**Approval of Agenda:**

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

**Guest Business:** None.

**Council Business:** Councilmember Daughtry: Snohomish County Cities (SCC); Councilmember Hilt: thanked Sgt. Valvick, Mark Murphy from Department of Emergency Management and Dr. Robert Mitchell for the information shared at the Work Session just ended; Councilmember McDaniel: Sewer Utility, Planning Commission, Community Police meeting; Councilmember Holder: Joint meeting with Park Board, Design Review Board and representatives of the Planning Commission, Family Center; Councilmember Tageant: Sewer Utility, Interviews for Community Development Director.

**Mayor's Business:** SCC Meeting, Special City Council Meeting June 7, 2016. Mayor Spencer commented on the difficulties in eradicating the homeless and drug problems and noted that the persons dealing drugs are business persons and not addicts. Mayor Spencer congratulated Russ Wright on being appointed as Community Development Director.

**City Department Report:** Public Works Director Mick Monken: July 13 is the dedication of the Visitors Information Center and also the Fish Roundabout; update on Hartford Trail Connection; Community Development Director Russ Wright: met with Lake Stevens School District regarding the proposed sidewalk at Hillcrest Elementary, Trestle Station grand opening, affordable housing presentation in June; Interim Police Chief Ralph Krusey: Sargeants assessment completed today, three officers successfully completed the bicycle training program; second neighborhood community meeting was held at Hillcrest Elementary and the next is scheduled for June 16, 2016 at Cavelero Mid High School, introduced Sgt. Bob Summers; Interim City Administrator Mary Swenson: the AWC Convention is scheduled in Everett in June, Chapel Rock property purchase closed.

**Consent Agenda:**

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Low, to approve (A) 2016 Vouchers [Payroll Direct Deposits of \$150,736.65, Payroll Checks Nos. 40372-40373 totaling \$3,623.19, Tax Deposits of \$62,334.06, Electronic Funds Transfers (ACH) of \$2,442,708.49, Claims Check Nos. 40371, 40374-40485 totaling \$280,101.65, Void Check Nos. 40050, 40250, 40327, 40473-40477 totaling \$9,807.06, Total Vouchers Approved: \$2,929,696.98]; (B) May 10, 2016 City Council Regular Meeting Minutes; (C) Ordinance 959 Creating a New Chapter 8.06 of LSMC Prohibiting Occupying Properties that Lack Adequate Water or Sewer Service; and (D) Approve Small Works Contract with Precision Concrete Cutting for Sidewalk Repair. On vote the motion carried (7-0-0-0).

**Action Items:**

**Approve Resolution 2016-09 Adopting a Policy for Critical Areas Review:** Community Development Director Russ Wright presented the staff report and said that adoption of this resolution will allow staff to establish an administrative process for reviewing development permits with or adjacent to critical areas that includes establishing a preferred consultant program. This will help to streamline the application and permitting process. Director Wright noted there are two models under consideration, one in King County and one in Marysville. Director Wright then responded to Councilmembers' questions.

Discussion ensued and Councilmember Low commented he likes the idea of having firms on the list as opposed to simply individuals; Councilmember Holder likes the idea of having individuals and knowing each consultant's credentials.

**MOTION:** Councilmember Low moved, Councilmember Tageant seconded, to approve Resolution 2016-09, establishing the intent to institute a preferred consultant program for the purpose of evaluating and delineating critical areas as defined by Chapter 14.88 of the Lake Stevens Municipal Code.

There was further discussion on the merits of having individual consultants on the list vs. firm names on the list.

**AMENDED MOTION:** Councilmember Low moved, Councilmember Tageant seconded, to include both firms and/or individuals on the approved consultants list.

**VOTE:** On vote the motion as amended carried (7-0-0-0).

**Authorize the Purchase of a Wireless Safety Headset Communication System from Owen**

**Equipment:** Public Works Director Mick Monken presented the staff report and said that currently public works crewmembers working in the field are not able to communicate effectively with each other when they are operating large machinery. Authorization of this purchase will enable crewmembers to better communicate without the need to shut down machinery and also will allow for better communication between flaggers and crew workers. Director Monken then responded to Councilmembers' questions.

**MOTION:** Councilmember Tageant moved, Councilmember Daughtry seconded, to authorize the purchase of a wireless safety headset communication system from Owen Equipment for an amount not to exceed \$7,528.26. On vote the motion carried (7-0-0-0).

**Approve Professional Services Agreement with Summit Law Group for Legal Services:**

Interim City Administrator Mary Swenson presented the staff report and said that Summit Law assists city staff with labor negotiations and other personnel matters. The previous contract with Summit Law expired and so a new professional services agreement is being presented for approval. Administrator Swenson then responded to Councilmembers' questions.

**MOTION:** Councilmember Hilt moved, Councilmember Welch seconded, to approve the Professional Services Agreement with Summit Law for Legal Services. On vote the motion carried (7-0-0-0).

**Executive Session:** None.

**Study Session:**

**City Attorney Request for Proposals:** Administrator Swenson reviewed that last year Council directed staff to go out for bid for City Attorney in 2016. The Request for Proposal can be released in June with proposals anticipated back in July if Council still wishes to proceed. Administrator Swenson commented she has reviewed the salary schedules for contract city attorneys and the City is currently receiving a very good rate.

Discussion ensued and Council agreed that it is important to see what the options are and what the market is. There was concurrence to proceed with the Request for Proposal.

**Traffic Mitigation Fee Adjustment:** Mayor Spencer said that the City consulted with Attorney Hugh Spitzer, specializing in municipal finance, regarding the idea of a traffic mitigation fee adjustment, and there are very specific legal requirements that must be met if the City moves forward with this type of incentive for new business. The objective, in this case, attracting new business, must be clearly stated and apparent. He and Director Wright have been working on the proposal and the current proposal is to target top tier (large sales tax) and mid-size (district) businesses.

Director Wright reviewed the history of the proposed incentive including the Growth Management Act, the use of impact fees and the legal requirements under the Revised Code of Washington. If the City moves ahead with this, it may be a tool to stop retail leakage by assisting with the upfront cost of development. Referring to a handout, Director Wright reviewed how the program might work, including possible revenue returns, and that mitigation fees that may be eligible for return under the incentive would be held by the City, but that the remaining

mitigation fees would be applied to the street fund. Director Wright then responded to Councilmembers' questions. There was consensus to move forward and Director Wright will bring a proposal forward for consideration in June.

**Adjourn:**

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Tageant, to adjourn the meeting at 7:55 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