

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

Tuesday, September 13, 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

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

ELECTED OFFICIALS ABSENT: None

STAFF MEMBERS PRESENT: Interim City Administrator Mary Swenson, Finance Director/City Clerk Barb Stevens, Public Works Director Mick Monken, Interim Police Chief Ralph Krusey, Human Resources Director Steve Edin, Deputy City Clerk Kathy Pugh, City Attorney Grant Weed; Police Records Specialist Kathy Starkenburg, Cashier/Receptionist Kira Hiester, Senior Accountant Josh Roundy, Associate Planner Dillon Roth, Parks and Recreation Coordinator Jim Haugen,

OTHERS: Tonya Christoffersen with the Lake Stevens Lions Club; Paris Apodaca, Amanda Mabe, Snohomish Health District Staff Jeff Ketchel, Environmental Health Director, Heather Thomas, Public & Government Affairs Manager, Kevin Plemel, Environmental Health Manager, Chris Stringer, Food Safety Program Supervisor and Katie Curtis, Public Health Emergency Preparedness & Response Supervisor

Pledge of Allegiance: Council President Sam Low introduced Tonya Christoffersen from the Lake Stevens Lions Club, who led the Pledge of Allegiance.

Roll Call: All present.

Approval of Agenda: Council President Low announced that (A) Vouchers will be removed from the Consent Agenda and considered separately.

MOTION: Moved by Councilmember Hilt, seconded by Councilmember Daughtry, to approve the Agenda with the noted change to the Consent Agenda. On vote the motion carried (7-0-0-0).

Volunteer Appreciation: Mayor Spencer then recognized Paris Apodaca, Whitney Partlow and Amanda Mabe, Lake Stevens School District High School students who volunteered their time for Music on the Lake by assisting with the setup and takedown of the sound equipment and also with sound production. Mayor Spencer presented Paris and Amanda with Certificates of Appreciation.

Mayor Spencer recognized and thanked Diana Hale for her time and dedication in designing and installing the landscaping in the "Fish Roundabout" and presented her with a Certificate of Appreciation.

Employee Appreciation: Mayor Spencer recognized Rod Pena for single-handedly supporting the IT Department during Troy Stevens' absence and presented him with a Certificate of Merit.

New Employee Introductions: Finance Director/City Clerk Stevens introduced Cashier-Receptionist Kira Hiestler and Senior Accountant Josh Roundy.

Human Resources Director Steve Edin introduced Associate Planner Dillon Roth, and Parks and Recreation Coordinator Jim Haugen.

Police Chief Ralph Krusey introduced Records Specialist Kathy Starkenburg.

Guest Business: Snohomish Health District Environmental Health Director Jeff Ketchel, Heather Thomas, Public and Government Affairs Manager, Kevin Plemel, Environmental Health Manager, Chris Stringer, Food Safety Program Supervisor and Katie Curtis, Public Health Emergency Preparedness & Response Supervisor were introduced.

Mr. Ketchel reviewed the 20th Century goals and achievements of the Health District and the new challenges and goals facing the Health Districts in the 21st Century.

Ms. Thomas discussed the opioid epidemic including how widespread the epidemic is, the difficulties of addressing it and the Health District's goals for addressing it.

Mr. Ketchel commented the Health District's goals for providing services and resources are not attainable given its current financial situation. He said the district is currently using reserves to balance its budget, and that the Health District does not have any taxing authority. Mr. Ketchel said that the Health District has developed a multi-faceted approach for identifying new funding resources, including requesting cities to make a \$2 per capita contribution to the Health District. The Health District wants to have relationships with the cities it serves, and plans to offer programs that are tailored to each specific city making a contribution.

There was agreement that Council address its questions to the Health District at the conclusion of the meeting.

Debbie Knowles, 2715 122nd Court NE, Lake Stevens requested the City spray her trees due to infestation by tent army worms, and expressed concern with the worsening car break-ins occurring during the night, particularly in the area known as Lake Stevens Circle.

Council Business:

- Kim Daughtry: Downtown Subarea Plan meetings, Cavelero Skateboard Park meeting, Planning & Economic Development Subcommittee Meeting.
- Sam Low: Downtown Subarea Planning Meeting, Cavelero Park Skateboard Park Meeting, Parks Subcommittee, Grade Road tour, interview with King 5 re Heroin/Opioid Forum coming up on September 15.
- Kurt Hilt: Downtown Subarea Planning Meeting; Snohomish Health District.

- Todd Welch: No report.
- Rauchel McDaniel: Fire Commission Meeting, Public Works Subcommittee/Planning Commission Meeting, Downtown Subarea Planning Meeting, Budget Subcommittee.
- Kathy Holder: Downtown Subarea Executive Committee, Parks Subcommittee, Parks Board Special Meeting re Cavelero Park Skate Park; Economic Development Subcommittee.
- Marcus Tageant: Budget and Economic Development subcommittees, Downtown Subarea Planning Meeting.

Mayor's Business: Subarea Planning – is requesting that consultants do at least 2-3 more alternatives to provide a broader range of ideas for consideration, Mayor's proposed budget will be presented September 27, met with Snohomish Mayor Karen Guzak on various topics including public health and annexation in the area of SR9 and US2, formerly known as the "RUTA" area, City Administrator search update.

City Department Report.

- Public Works Director Monken: Grade Road Update, 36th Street Bridge repair update, traffic radar sign (locations).
- Human Resources Director Edin: Equipment mechanic hiring process update, police oral boards, meeting with VEBA representative re employee benefits, employee benefit fair in October.
- Interim Public Safety Director Krusey: Opioid forum September 15 at Cavelero, Citizens Patrol, Citizens Academy, Officer Carter being recognized at the Fall Boating Conference with the Recreational Boat Safety Education Merit Award, Chief Dyer's arrival September 19; said this is his last Council meeting and thanked everyone for their support, and said the Police Department is staffed with dedicated people.
- Economic Development Coordinator Ashe: Distributed a "leave behind" marketing piece that was prepared for use by Red Propeller to assist with marketing the 20th Street SE corridor to developers, and they have also prepared a PowerPoint presentation and a web site for marketing; attended the International Council of Shopping Centers Western Regional Dealmaking Conference in San Diego and accomplished some very good networking with commercial developers.

MOTION TO APPROVE VOUCHERS: Council President Low moved, Councilmember Daughtry seconded, to approve the August 19-September 9, 2016 Vouchers [Payroll Direct Deposits of \$157,176.69, Payroll Check Nos. 40982-40985 totaling \$6,324.38, Tax Deposits of \$62,594.95, Electronic Funds Transfers (ACH) totaling \$287,313.78, Claims Check Nos. 40969-40981, 40986-41098 totaling \$777,380.54, Void Checks No. 40624 in the amount of \$999.16, Total Vouchers Approved: \$1,289,791.18].

Councilmember McDaniel questioned the cost of the two videos produced by Abe Martinez. Councilmember McDaniel added she believes the cost is high and she is not comfortable with that amount for two videos.

Mayor Spencer responded that one video was for Lundeen Park and the new activities there, and the other video was for boating safety. The cost includes the videography, script preparation, interviews, preparation of narrative, and video production. Mayor Spencer said that detailed information on the cost will be provided to Councilmembers.

Mayor Spencer added that the only other video he envisions in the future is video produced in conjunction with the Downtown Subarea Planning, which cost will be invoiced through the Consultant. This will be brought forward as an amendment to the consultant's professional services contract.

Councilmember Tageant agreed with Councilmember McDaniel's concerns.

VOTE: On vote the motion to approve the Vouchers carried (7-0-0-0).

Consent Agenda:

MOTION: Moved by Councilmember Hilt, seconded by Councilmember Welch, to (A) [Removed]; (B) approve City Council Regular Meeting Minutes of August 23, 2016; (C) approve Prothman Contract for Police Chief Background Check; (D) approve Professional Services Agreement with Outcomes by Levy; (E) approve Teamsters Collective Bargaining Agreement; (F) approve Resolution 2016-15 re: Adoption of Snohomish County Revised Hazard Mitigation Plan; (G) award Contract to AquaTechnex for Alum Treatment; (H) authorize Interlocal Agreement with Snohomish County re Surface Water Management Billing; (I) approve Ordinance 971, Amendment to LSMC 11.04.060 Surface Water Management. On vote the motion carried (7-0-0-0).

Action Items:

Resolution 2016-16 Declaring an Emergency and Authorizing Repair of City Boat Launch:

Public Works Director presented the staff report and reviewed that the boat launch was damaged in August when a vehicle launching a watercraft accidentally rolled off the southern ramp and into the water, requiring it to be towed out of the lake. Since that time the City has determined the south launch is unsafe for public use and it is closed; the north launch is breaking down with the heavier use it is receiving. The Department of Fish & Wildlife determined the south launch is beyond repair and requires replacement. Approval of the emergency resolution will accelerate the permitting process with the State for repair of the north ramp.

MOTION: Moved by Councilmember Daughtry, seconded by Councilmember Low, to adopt Resolution 2016-16 declaring an emergency exists with the City Boat Launch for public safety and authorize staff to proceed with permitting and performance of temporary repairs of the north ramp. On vote the motion carried (7-0-0-0).

Aerator Removal Evaluation Professional Service Agreement Supplement No. 1: Director Monken presented the staff report and said that since Council approval of the Professional Services Agreement at the August 23, 2016 Council meeting, the contractor, CRUX, realized they would be required to provide Errors and Omissions liability insurance, which cost was not included in their initial proposal. This is a pass through cost that would normally be included in the contractor's estimate for work performed, and is necessary to protect the City from exposure to liability, which may arise from professional errors or omissions in the services performed by CRUX under the Professional Services Agreement. Director Monken then responded to Councilmembers' questions and noted that they was the only bidder.

MOTION: Moved by Councilmember Holder, seconded by Councilmember Hilt, to authorize the Mayor to execute a Professional Service Agreement Supplemental No. 1 with CRUX Diving & Salvage, Inc., in the amount of \$3,726.65, to cover Errors and Omissions Liability insurance for

the evaluation of the Lake Stevens Aerator for future removal. On vote the motion carried (7-0-0-0).

Discussion Items:

Small Cellular Facility Consortium: City Attorney Grant Weed presented the staff report and said staff is bringing this to Council's attention at this time for their information. Attorney Weed said that a company named Mobilitie has approached Lake Stevens and other jurisdictions about entering the Puget Sound Market for the development of small cellular facilities that may include data transmission lines, small cellular antennae and related equipment, all with new technologies. Other cellular companies such as AT&T and Verizon may have similar plans. A number of issues have arisen regarding this proposal and the law firm of Ogden Murphy Wallace has coordinated a consortium of cities to address many of the legal and technical issues that have and are surfacing. Staff is seeking direction from Council and recommending that the City join the consortium. Attorney Weed reviewed what the City would receive as a member of the consortium and how the legal fees are structured, and he also recommended that the City update its municipal code to address the new technologies on the market.

City Administrator Swenson added that Mobilitie has been talking with Community Development Director Wright.

Attorney Weed and City Administrator Swenson then responded to Councilmembers' questions.

Councilmember Low commented that he doesn't believe that citizens want large cellphone towers on their properties and through the city.

Mayor Spencer said that his wife and daughter work in the telecommunications field and that they were involved with siting of 75-80% of the cell towers in western Washington, and commented that it is difficult to oppose these companies, but that they can be regulated.

Council directed this be brought back in two weeks for consideration of joining the consortium.

Snohomish Health District Follow-up: Mr. Ketchel and Ms. Thomas responded to questions posed by Councilmembers related to statistics on how many persons successfully utilize services related to opioid treatment, and proactive steps such as teaching the dangers of both legal and illegal opioid use in the schools. Council commented that if the City makes a per capital donation to the Health District it wants to ensure that it receives services directed to meeting Lake Stevens' needs.

Executive Session: Mayor Spencer announced an executive session for 14 minutes to discuss real property acquisition beginning at 8:46 p.m. and ending at 9:00 p.m., with no action to follow.

Adjourn:

Moved by Councilmember Low, seconded by Councilmember Tageant, to adjourn the meeting at 9:01 p.m. On vote the motion carried (7-0-0-0).


John Spencer, Mayor


Barb Stevens, Finance Director/City Clerk