

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

Monday, December 9, 2013

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: Todd Welch, Kathy Holder, Kim Daughtry, Marcus Tageant, Neal Dooley and John Spencer

COUNCILMEMBERS ABSENT: Suzanne Quigley

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Tom Graafstra, Planning Director Rebecca Ableman, Finance Director Barb Stevens, Public Works Director Mick Monken, Human Resource Director Steve Edin, Senior Planner Russ Wright, Interim Police Chief Dan Lorentzen, and City Clerk/Admin. Asst. Norma Scott

OTHERS:

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**Excused Absence.** Councilmember Dooley moved to excuse Suzanne Quigley, seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

**Guest Business.** None

**Appreciation ceremony for Councilmember Dooley.** Mayor Little called for a 15 minute recess to celebrate Councilmember Dooley's 22 years of service to the City. The meeting recessed at 7:07 p.m. and reconvened at 7:22 p.m.

**Consent Agenda.** Councilmember Spencer moved to approve the Consent Agenda (A. Approve December vouchers [Payroll Direct Deposits 907992-908055 for \$154,196.49; Payroll Checks 36048 for \$2,435.93; Electronic Funds Transfers 668-673 for \$140,200.51; Claims 36049-36127 for \$264,345.80; Void Checks 35999 for deduct of \$285.78; Tax Deposit 11/27/2013 for \$65,953.22; total vouchers approved of \$626,846.17]; and B. Approve Council regular meeting minutes of November 25, 2013), seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

**Public Hearing in consideration of second and final readings of: Ordinance No. 902, 2013 Comprehensive Plan Docket and Ordinance No. 903, code amendments.** City Clerk Scott read the public hearing procedure. Senior Planner Wright noted Ordinance No. 902 includes seven text amendments and one map correction. The entire document has been recommended to Council by the Planning Commission. Ordinance No. 903 is a housekeeping ordinance that includes correcting minor code errors and revisions found during code implementation and to update codes to be consistent with other documents including use of common terminology.

**Public comments.** None

MOTION: Councilmember Daughtry moved to close the public comment portion, seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

MOTION: Councilmember Holder moved to close the public hearing, seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)

MOTION: Councilmember Dooley moved to approve Ordinance No. 902, Comprehensive Plan Docket, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

MOTION: Councilmember Dooley moved to approve Ordinance No. 903, code amendments, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

**Reappointment of Pam Barnet to the Planning Commission.** Mayor Little recommended Pam Barnet continue on the Planning Commission.

MOTION: Councilmember Spencer moved for reappointment of Pam to the Planning Commission, seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

**Approve acceptance of Stonebriar Subdivision Phase I.** Senior Planner Wright noted as follows: the plat is located on 20<sup>th</sup> and 79<sup>th</sup> SE, originally came over from Snohomish County through annexation, owners requested and received a few administrative modifications with 45 lots in Phase I. Along with approval of Phase I, the proponent will dedicate rights-of-way to the City.

MOTION: Councilmember Tageant moved to approve Stonebriar Subdivision I, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

**Approve Professional Services Agreement with Berk Consulting Inc. for Economic Development Support Market and Development Information.** Planning Director Ableman noted the consultant will provide real estate and market statistics so we can compare the City to neighboring jurisdictions. The consultant produced a housing report for the County and did an excellent job.

MOTION: Councilmember Daughtry moved to approve Professional Services Agreement with Berk Consulting Inc, seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

**Approve Public Defender agreement with Feldman and Lee.** City Administrator Berg commented the agreement is for three years and provides for a reopener at such time that caseload limits are implemented by the State Supreme Court.

City Attorney Graafstra noted new rules from the courts are expected one year from now.

MOTION: Councilmember Tageant moved to approve Professional Services Agreement with Feldman and Lee for Public Defense Serves for 2014 through 2016, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

**Approve first and final reading of Ordinance No. 892, concerning potentially dangerous and dangerous dogs.** Interim Police Chief Lorentzen noted the ordinance was last updated in

1997. The ordinance addresses legal issues and makes the definitions more consistent with state law. It also clarifies an appeal process to comply with due process rights on property.

**MOTION:** Councilmember Spencer moved to approve Ordinance No. 892 first and final reading, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

**Executive Session.** Mayor Little noted a 45-minute executive session will be held with possible action to follow.

**Council Person's Business:** Councilmembers reported on the following meetings: Holder – Sewer Utility Subcommittee; Spencer – Rotary Club meeting last Saturday and is supportive of a Skateboard Park; Dooley – expressed appreciation to Council and staff; and Daughtry – Community Transit, Snohomish County Cities dinner, and newly elected officials training last Saturday.

**Mayor's Business:** Mayor Little recommended Councilmember Daughtry continue as liaison to the Community Transit Board and Sam Low has agreed to represent the City to the Health District Board. Council concurred on the Mayor's recommendation.

**Staff Reports:** Staff reported on the following: Public Works Director Monken - 20<sup>th</sup> Street may have a lot of potholes because of the depth of the frost line where new construction had occurred.

**Executive Session.** A short recess was called by Mayor Little with the Executive Session to begin at 7:55 on potential litigation and real estate purchase for 45 minutes with action to follow. The Executive Session began at 7:55 p.m. and ended at 8:37 p.m. with the public being notified.

**MOTION:** Councilmember Tageant moved for authorizing the Mayor to sign a purchase and sale agreement with attorney approved contract to include earnest money up to \$5,000 and the purchase of property not to exceed appraised value, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

**MOTION:** Councilmember Dooley moved to approve and authorize the Mayor to sign voluntary mitigation agreement tendered by East Everett Investments, seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

**Adjourn.** Councilmember Spencer moved to adjourn at 8:40 p.m., seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)



Vern Little, Mayor



Norma J. Scott, City Clerk/Admin. Asst.