

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

Monday, October 13, 2014

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 Kim Daughtry.

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Marcus Tageant, and Sam Low

COUNCILMEMBERS ABSENT: John Spencer, Mayor Vern Little

STAFF MEMBERS PRESENT: City Administrator Jan Berg, Planning Director Becky Ableman, Finance Director/City Clerk Barb Stevens, Public Works Director Mick Monken, Senior Planners Russ Wright and Sally Payne, Police Commander Dennis Taylor, Human Resource Director Steve Edin, Deputy City Clerk Kathy Pugh and City Attorney Cheryl Beyer

OTHERS:

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**Excused Absence.** Councilmember Welch moved, Councilmember Holder seconded, to excuse Councilmember Spencer from the meeting. Motion passed unanimously (5-0-0-1).

Councilmember Quigley arrived at 7:03 p.m.

**Guest Business.**

Brent Kirk introduced Michael Bowers, the new Lake Stevens Sewer District General Manager. Mr. Bowers said he looks forward to opportunities for the sewer district to partner with the City.

Kirsten Reid, 3105 101<sup>st</sup> Avenue NE, Lake Stevens, commented on the fifty-five home development going in above her neighborhood. Ms. Reid said that her road is narrow and inadequate to handle the increased traffic that will result from the development. She distributed pictures, and requested the road be widened.

Virginia Seitz, 3025 101<sup>st</sup> Avenue NE, Lake Stevens, agreed with Ms. Reid's concerns.

Jeff Nelson, 1620 11<sup>th</sup> Drive SE, Lake Stevens, said that his address is not within the city limits. At a recent meeting of the Mission Ridge Homeowners Association, the members agreed that they would like to explore annexation into the City. He requested information on the annexation process.

Caitlin Bardsley, 3106 101<sup>st</sup> Avenue NE, Lake Stevens, supported widening of her road to accommodate the increased traffic created by the new development above her neighborhood.

**Consent Agenda.**

MOTION: Councilmember Low moved, Councilmember Tageant seconded, to approve the Consent Agenda: (A) Approve 2014 vouchers [Payroll Direct Deposits 10/1/2014 for

\$116,395.57, Payroll Checks 37454-37455 for \$4,549.40, Tax Deposits 10/2/2014 of \$45,471.25, Electronic Funds Transfers ACH of \$141,942.29, Claims Check Nos. 37456-37548 for \$193,339.94, Total vouchers approved \$501,698.45], (B) Approve City Council regular meeting minutes of September 22, 2014, and (C) Approve City Council special meeting minutes of October 7, 2014, with the correction to the spelling of Councilmember Holder's name on page 1 of the September 22, 2014 minutes. Motion passed unanimously (6-0-0-1).

### **Public Hearings:**

City Clerk Barb Stevens read the Public Hearing procedure for Open Record Public Hearings and noted the procedures would apply to agenda items regarding Ordinance Nos. 916, 917, 918, 919 and 920.

### **Public Hearing in consideration of second reading of Ordinance No. 916, Frontage**

**Improvements Code Update:** Senior Planner Payne presented the staff report and reviewed that this is the second reading of Ordinance No. 916. Following the first reading of Ordinance 916 the ordinance was changed to reflect Council's direction to change the expiration of the sunset clause regarding no protest agreements to proposed local improvement districts (LID) from ten years to eight and to address corner lot circumstances. Ms. Payne also said that staff worked with the City Attorney's office on a waiver provision in the ordinance that would allow the provision to be retroactive to vested properties that have not been issued a certificate of occupancy so that those properties will be in compliance with this code amendment.

Councilmember Quigley objected to the developer being able to choose between payment of a fee in lieu of providing frontage improvements, or the no protest provision regarding any LIDs. Public Works Director Monken explained that money received as part of a fee in lieu of improvements could be applied to any sidewalk projects within the City. Councilmember Quigley also questioned the 100 foot reduction and urged a return to the 200 foot requirement for installation of sidewalks. Councilmembers Tageant, Low and Welch disagreed and said this ordinance is targeted to help people building single family residences, and not about developers.

In response to Councilmember Holder's question discussion ensued as to why the sunset clause on the LID no protest agreement was set at eight years instead of ten. Councilmember Holder wondered if paying the fee in lieu would be less of a burden to property owners, and Public Works Director Monken said this fee is fixed with no additional costs. Councilmember Holder expressed concern about creating a piecemeal situation for frontage improvements when the City is in need of more sidewalks.

Public Works Director Monken responded to Councilmember Quigley's concern regarding the exception to deviating from requiring a frontage improvement in the case where a safety issue is created when the improvement is completed.

Mayor Pro Tem Daughtry invited comments from the public, and there were none.

**MOTION:** Councilmember Welch moved, Councilmember Tageant seconded, to close the public comment portion of the hearing on Ordinance 916. Motion carried unanimously (6-0-0-1).

Councilmember Quigley would like more information on adding incentive language to the ordinance that would be a percentage of the estimated cost of a frontage improvement.

MOTION: Councilmember Low moved, Councilmember Tageant seconded, to close the public hearing on Ordinance 916. Motion passed (5-1-0-1).

MOTION: Councilmember Low moved, Councilmember Tageant seconded, to approve the second reading and adopt Ordinance 916 with the new Section 3 added, with the 100 foot waiver and with the eight year sunset clause for LID no protest agreement. Motion passed (5-1-0-1).

**Public Hearing in consideration of 2014 Comprehensive Plan Amendments and Second Reading of Ordinances 917, 918 and 919.** Senior Planner Sally Payne presented the staff report regarding the 2014 Comprehensive Plan Amendments which are City initiated, including two substantive text amendments and other minor administrative amendments to the Comprehensive Plan; additionally there are two citizen-initiated amendments to the land use map. The first reading for these items occurred at the September 22, 2014 Council meeting.

Senior Planner Wright reviewed the Kjorsvik and Huber map amendments under Ordinances 918 and 919 respectively. He said the proposed map amendments will change to commercial zoning, and reminded of possible traffic impacts and staff proposals to relieve these impacts. Mr. Wright then responded to Councilmembers' questions regarding proposed traffic impact solutions.

PUBLIC COMMENT: Henry Cussen, 5772 Vista Linda Lane, Boca Raton, Florida, a partner with the developer Mr. Kjorsvik, spoke in favor of the map amendment, Ordinance 918. The developer views this project as a good gateway project and believes the property lends itself to commercial development that will help to create job opportunities and a sustainable tax base for the City.

MOTION: Councilmember Tageant moved, Councilmember Welch seconded, to close the public comment portion of the hearing. Motion carried unanimously (6-0-0-1).

MOTION: Councilmember Tageant moved, Councilmember Welch seconded, to close the public hearing on Ordinances 917, 918 and 919. Motion carried unanimously (6-0-0-1).

MOTION: Councilmember Welch moved, Councilmember Low seconded, to approve the second and final reading and adopt Ordinance 917, 2014 Comprehensive Plan Update. Motion carried unanimously (6-0-0-1).

MOTION: Councilmember Holder moved, Councilmember Tageant seconded, to approve the second and final reading and adopt Ordinance 918, Kjorsvik Map Amendment. Motion carried unanimously (6-0-0-1).

MOTION: Councilmember Tageant moved, Councilmember Welch seconded, to approve the second and final reading and adopt Ordinance 919, Huber Map Amendment. Motion carried unanimously (6-0-0-1).

**Public Hearing in consideration of Kjorsvik Rezone and second and final reading of Ordinance No. 920.** Senior Planner Russ Wright presented the staff report and said that this is the second reading of Ordinance 920 regarding the Kjorsvik Rezone. He distributed a new version of Ordinance No. 920 with a minor change to the title recommended by the City Attorney's office. The first reading of Ordinance 920 was held on September 22, 2014. He then responded to questions by Councilmembers.

Mayor Pro Tem Daughtry invited Council discussion and there was none.

Mayor Pro Tem Daughtry invited public comment and there was none.

MOTION: Councilmember Welch moved, Councilmember Low seconded, to close the public comment portion of the hearing. Motion carried unanimously (6-0-0-1).

In response to Councilmember Holder's question regarding a previous developer agreement, Mr. Wright explained that the rezone will allow for a range of commercial businesses on a smaller scale in footprint and size of development. Neighbor comments regarding the proposed rezone relate to traffic, and one person stated he would like development to be high quality, similar to Mill Creek.

MOTION: Councilmember Tageant moved, Councilmember Welch seconded, to close the public hearing on Ordinance 920. Motion carried unanimously (6-0-0-1).

MOTION: Councilmember Low moved, Councilmember Welch seconded, to approve the second and final reading and adopt Ordinance 920 approving the Kjorsvik Rezone request. Motion carried unanimously (6-0-0-1).

**Public Meeting:**

**Snowberry Final Plat Approval:** Senior Planner Russ Wright reviewed the staff report and advised LSMC 14.18.035(a) requires that a public meeting be held and that the City Council accept the final plat known as Snowberry Court by motion. He then responded to Councilmembers' questions.

MOTION: Councilmember Tageant moved, Councilmember Welch seconded, to accept the final plat of Snowberry Court. Motion carried unanimously (6-0-0-1).

**Action Items:**

**Second and Final Reading of Ordinance 921, Huber Rezone.** Councilmember Low disclosed that his business has done business with one of applicant Huber's companies.

Senior Planner Wright presented the Staff Report and said that this is the second and final reading of Ordinance 921 related to the Huber Rezone.

MOTION: Councilmember Welch moved, Councilmember Holder seconded, to approve the second and final reading and adopt Ordinance 921, related to the Huber Rezone. Motion carried unanimously (6-0-0-1).

**Discussion Items:**

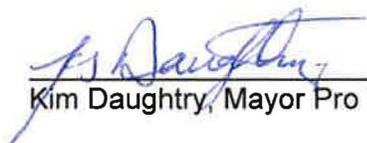
Finance Director Barb Stevens distributed a 2015 Budget Fund Overview. She provided a preliminary budget presentation and responded to Councilmembers' questions.

**Council Person's Business:** Councilmember Tageant: Sewer Utility Committee; Councilmember Holder: Sewer Utility Committee; Councilmember Low: Health Board meeting.

**Mayor's Business:** None.

**Staff Reports:** City Administrator Berg: attended School Board meeting, met with Hans Dunshee regarding capital projects, AWC; Planning Director Ableman: updated on the Cavalero Park process; Public Works Director Monken: provided a sidewalk update for improvements between 8<sup>th</sup> and 12<sup>th</sup> along 91<sup>st</sup>, PSRC has unofficially notified of successful grant application for 20th SE between 91st & 83<sup>rd</sup> for redesign and right-of-way acquisition; Police Commander Taylor: Police Department is fully staffed; Human Resources Director Edin: updated on new staff city-wide.

**Adjourn.** Councilmember Tageant moved, Councilmember Low seconded, to adjourn the meeting at 9:02 p.m. Motion carried unanimously (6-0-0-1).

  
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Kim Daughtry, Mayor Pro Tem

  
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Kathy Pugh, Deputy City Clerk