

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

Monday, January 14, 2013
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 Vern Little

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Neal Dooley and John Spencer

COUNCILMEMBERS ABSENT: Marcus Tageant

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director Barb Lowe, Public Works Director Mick Monken, Human Resource Director Steve Edin, Interim Police Chief Dan Lorentzen, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Tom Matlack, Fred Schmidt, Guy Mahan, Gene Williams, Brent Kirk

Excused Absence. Councilmember Spencer moved to excuse Marcus from this meeting this evening, seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)

Guest Business. Tom Matlack, 2504 112th Drive NE, requested an update on the Shoreline Master Program (SMP). Planning Director Ableman responded the City received a formal response from Department of Ecology (DOE) on January 4. The SMP subcommittee will meet to review the changes requested by DOE. The DOE document is available to the public.

Fred Schmidt, 10420 Sandy Beach Drive, commented the aerator should be handled with great concern. The aerator has never operated as proposed. It should run from May – October.

Public Comments: Lake Stevens Phosphorous Plan. Public Works Director Monken commented that on December 10 he did an overview of the phosphorous draft plan for Council. The aerator went out of service early this year because of the high cost for repairs. There are two options being considered: continuation of aerator or alum treatment. In 1983-1984 the decision was made to install the aerator versus alum treatment. Alum binds the phosphorous. Mr. Monken reviewed the December 2012 Technical Memorandum from TetraTech. It costs annually approximately \$100,000 to operate and repair the aerator. According to TetraTech if we used the \$100,000 annually for alum, it would address the current problem and the water column. Alum seals the sediment to the bottom of the lake. It would take alum 9-12 years to address the whole lake. Mr. Monken reviewed the phosphorous treatment draft financial plan. Staff is recommending the alum treatment and leaving the aerator in the lake for about three years until we see the results of the alum treatment. Alum dosage is very low.

Councilmember Welch asked if DOE has any problems with the treatment. Public Works Director Monken responded DOE does not require a special permit and will use the existing milfoil permit, because it is considered safe and a recommended process.

Councilmember Spencer asked when the aerator was turned on and off. Gene Williams from Snohomish County Surface Water Management state the aerator is only needed when the oxygen level is low, which is usually late June to early July and runs until early November.

Phosphorous loading levels from the 1980's versus now were discussed as well as the basis for the findings.

Councilmember Quigley asked what methods citizens can use to make a difference to the lake. Public Works Director Monken responded by using best management practices and education. There is \$10,000 in the program for education.

Councilmember Spencer suggested working with the County on land clearing practices, best management practice, septic tank drainage, and residential management practices.

Councilmember Quigley asked if any city has developer regulations to protect the environment. Gene Williams commented new state law prohibits the use of phosphorus in fertilizers for current lawns.

Public comments. Brent Kirk, 25 South Davies Road, commented that over the last fifteen years there were several years that the aerator did not run and no problems were reported. Monetarily it makes since to try alum. Over the years there have been problems with the aerator. He supports staff's recommendation.

The final recommendation will be provided at the next regular meeting in two weeks.

Guest business. Guy Mahan, 18425 62 Avenue NE, Kenmore, commented there was a rezone to Commercial on Frontier Circle East, where he owns three parcels (two lots with existing duplexes and one vacant lot) that were zoned R7200 square feet (Snohomish County zoning). This rezone causes his lots (plus three other small lots) to be unbuildable and wants direction on how his lots can be removed from the Commercial zone. Planning Director Ableman will prepare a response for the next regular meeting. Planning Director Ableman commented all the parcels would need to be used together to make a commercial use. Mr. Mahan commented that is not feasible.

Consent Agenda. Councilmember Spencer moved for approval of Consent Agenda Items A-F (A. Approve December 2012 vouchers [Payroll Direct Deposits 900628-906744 for \$258,362.03, Payroll Checks 34474, 34481 for \$4,863.94, Electronic Funds Transfers 537-540 for \$4,757.71, Claims 34475-34480, 34483-34574, 34639-34642 for \$232,523.94, Void Checks 34365 for deduct of \$743.00, Tax Deposits 12.14.12, 12.31.12 for \$91,223.67 for total vouchers approved of \$590,988.29; B. Approve January 2013 vouchers [Electronic Funds Transfers 541-547 for \$133,708.98, Claims 34482, 34575-34638 for \$1,119,500.07 for total vouchers approved of \$1,253,209.05]; C. Approve City Council regular meeting minutes of December 10, 2012; D. Approve City Council special meeting minutes of December 19, 2012; E. Authorize SR92 roundabout right-of-way deed to Washington State Department of Transportation; F. Authorize Marysville Jail Services Contract Amendment No. 9), seconded by Councilmember Welch; motion carried unanimously. (6-0-01)

Executive Session. Mayor Little called for an Executive Session at the end of the meeting for ten minutes on potential litigation with action to follow.

2012 Supplemental vouchers.

MOTION: Councilmember Dooley moved to approve Supplemental 2012 vouchers Claims 34644-34652 for \$28,836.49 for total vouchers approved of \$28,836.49, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

Election of Council President and Vice-President. Councilmember Quigley moved to nominate current President (Spencer) and Vice-President (Daughtry) in those positions, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

Authorize Janitorial Services Agreement with Advantage Building Services. Public Works Director Monken noted as follows: current services were provided since 2009, received three bids, and current contractor did not submit the lowest bid. Advantage Building Services was low bidder which includes weekly and optional services.

MOTION: Councilmember Holder moved to approve contract for janitorial services for 2013, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

20th Street SE road project strategy. Public Works Director Monken commented the following decisions need to be made: phase or complete the whole project and underground or overhead utilities. Staff recommends the following: segments/phasing, design in segments, right-of-way purchase in segments, and need to address overhead/underground conversion which includes all utilities that are overhead. Mr. Monken discussed PUD's requirement to overhead transmission lines. The strategy is to develop east to west.

Boards/Commission liaison assignments. It was the consensus of Council to keep the liaison assignments the same as last year.

Council Person's Business: Councilmembers reported on the following meetings: Daughtry – Snohomish County Cities meeting this week; and Holder – Sewer Utility Subcommittee meeting today.

Executive Session. Mayor Little called for an Executive Session at 8:40 p.m. on potential litigation for ten minutes with action to follow. Mayor Little called for a five minutes recess. The executive session convened at 8:45 p.m. and returned to the regular meeting at 8:55 p.m. Human Resource Director Edin notified the public.

Brinda Ward settlement. Councilmember Dooley moved to authorize settlement with Brinda Ward, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

Adjourn. Councilmember Daughtry moved to adjourn at 8:55 p.m., seconded by Councilmember Dooley; motion carried unanimously. (6-0-0-1)



Vern Little, Mayor



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