

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

Monday, February 13, 2017

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:** Councilmembers Kim Daughtry, Gary Petershagen, Kurt Hilt, Todd Welch, Rauchel McDaniel, Kathy Holder, Marcus Tageant

**ELECTED OFFICIALS ABSENT:** None.

**STAFF MEMBERS PRESENT:** Finance Director/City Clerk Barb Stevens, Community Development Director Russ Wright, Police Chief John Dyer, Deputy City Clerk Kathy Pugh, City Attorney Grant Weed, Senior Engineer Adam Emerson

**OTHERS:** Jason Bierman, Snohomish County Department of Emergency Management, Fire Marshal Mike Messer

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**Pledge of Allegiance:** Mayor Spencer led the Pledge of Allegiance.

**Roll Call:** All present.

**Approval of Agenda:** Council President Hilt added SnoPac as a discussion item. Mayor Spencer said there will be an executive session with action to follow, and requested that Action Item A, Approve Ordinance No. 987 re Condemnation of Real Property be moved to follow the Executive Session.

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

**Guest Business:** Jason Bierman, Director of Snohomish County Department of Emergency Management (DEM) provided an update on the current organizational structure, activities and service programs of DEM, including what DEM plans to accomplish in 2017. He commented that pursuant to the RCW's every jurisdiction is responsible for its own emergency management organization and activities, and that DEM supports each jurisdiction's emergency management plan. DEM covers all jurisdictions in Snohomish County with the exception of Everett and the part of Bothell that is located in Snohomish County. DEM also is part of Homeland Security Region 1 and is also partnered with the counties and cities to the south of Snohomish County. He then responded to Councilmembers' questions.

Responding to Councilmember Welch's questions regarding coordination with the Navy, and plans to upgrade any local hospitals to a Trauma 1 rating, Mr. Bierman explained how DEM coordinates with the Navy and other federal entities, including joint exercises and joint responses. Mr. Bierman said, regarding upgrading of hospitals, that DEM has a healthcare coalition that works with the hospitals, but he is not aware of any plans for upgrades to

Snohomish County facilities. DEM does coordinate with regional hospitals as part of the emergency preparedness planning.

In response to Councilmember Hilt's question, Mr. Bierman discussed E911 services and how it works with SnoCom and SnoPac to distribute funds collected through the E911 program. They also provide GIS data and work with DEM to make sure that GIS information is accurately reflected so that when emergency responders are dispatched they are dispatched to the correct address.

Mayor Spencer asked how the City and Council can be helpful to DEM and also ensure if there is an emergency, the response is effective. Mr. Bierman responded this can be accomplished by working closely with DEM and advocating DEM efforts. It is important for city officials to support DEM programs by advocating to staff that emergency preparedness is a priority.

Councilmember Holder expressed concern that because of its location adjacent to the Trestle and the SR 9 bridge in Snohomish, Lake Stevens could be cutoff in a disaster. Mr. Bierman responded that DEM has a program, CPOD (Community Points of Distribution), that they train for, and this program is specifically designed to assist communities that could be cut off in a disaster. DEM can provide this training to Lake Stevens.

Mayor Spencer thanked Mr. Bierman for coming this evening.

Larry Marlow, 11611 North Lakeshore Drive, Lake Stevens, commented on the process of starting a condemnation process on the Williams property now, and said they are bothered by this. Mr. Marlow also commented on the speed sign placed adjacent to his home. He said North Lakeshore Drive is a speeding area and he has requested enforcement. He does not believe the sign is effective.

Sharon Pratt, 11611 North Lakeshore Drive, Lake Stevens, wondered why shorelands are being condemned. She said it appears, from reviewing the Eagle Ridge Park Master Plan, that the intent is to connect all of the parks together by North Lakeshore Drive. She does not want to see this happen. She does not want the ambiance of her neighborhood changed.

Mayor Spencer responded the City does not have any intent to proceed further than acquiring land that can be associated with the park. Also, the City has communicated with the landowner without success regarding purchase of the parcels.

Melissa Corbett, 10411 11<sup>th</sup> Place SE, Lake Stevens, commented that people have not heard about the park upgrades. She would like to see a restaurant or other business that would bring people into the downtown area and provide jobs. She does not understand why the City would proceed with condemnation and pay to complete improvements at North Cove Park when there is a private investor willing to do those improvements.

Ryan Kilby, 4404 Thomson, Everett, is here with his grandmother, Mrs. Williams, this evening. This property has been in the family for almost 70 years. They are at a point where they can start investing and develop the property, and have hired architects and surveyors to assist. They are surprised that the City is proceeding with a condemnation and are not in agreement with the plan. They believe bringing retail in would be a better use than more park space. If the City proceeds, this action affects their family, their company and their plans for the property.

**Council Business:**

- Councilmember Daughtry: Public Works subcommittee, Economic Development subcommittee
- Councilmember Petershagen: No report.
- Councilmember Hilt: No report.
- Councilmember Welch: Parks subcommittee, Library Board.
- Councilmember McDaniel: Economic Development subcommittee.
- Councilmember Holder: Family Center, Economic Development subcommittee, Park Board subcommittee & Park Board.
- Councilmember Tageant: Economic Development subcommittee, AWC City Action Days.

**Mayor's Business:** Has attended two meetings sponsored by City of Everett with affected jurisdictions regarding how to address the US 2 Trestle and move forward. It is likely there will be workshops scheduled with key legislators to address the Trestle as it has become one of the highest priorities in the state. Also, letters were sent to legislators regarding pending legislation; copies will be provided to Council.

**City Department Report:**

- Chief Dyer: Lake Stevens Police Department had a major incident last week, and on behalf of the Police Department, he thanked the Council, Mayor, community and the law enforcement community for their support.

**Consent Agenda:**

**MOTION:** Moved by Councilmember Hilt, seconded by Councilmember Tageant, to approve (A) 2017 Vouchers [Payroll Direct Deposits of \$166,039.69, Payroll Check Nos. 41851-41852 totaling \$4,979.67, Tax Deposits of \$65,904.90, Electronic Funds Transfers (ACH) of \$207,431.29, Claims Check Nos. 41828-41850, 41853-41963 totaling \$266,849.48, Total Vouchers Approved: 711,205.03], and (B) Task Order 2 to 2016-2018 On-Call Electrician Services with Control Dynamics, Inc. On vote the motion carried (7-0-0-0).

**Public Hearing:**

**Third Reading and Adoption of Ordinance 972 re International Building Code:** Mayor Spencer opened the public hearing.

Director Wright presented the staff report and briefly reviewed the procedural history of Ordinance 972 regarding amendments to the International Building and Construction Code and the International Fire Code. Director Wright said that staff has worked with stakeholders to ensure that any questions or concerns they may have were addressed, and has worked to respond to Council's questions. He then invited Council questions and there were none.

Mayor Spencer invited public comment and there was none. Mayor Spencer then closed the public comment portion of the hearing.

Mayor Spencer closed the public hearing.

**MOTION:** Councilmember Hilt moved, Councilmember McDaniel seconded, to approve the third reading and adoption of Ordinance 972 re amendments to the Building and Construction and Fire Code. On vote the motion carried (7-0-0-0).

**Action Items:**

**Confirm Appointment of Public Works Director:** Mayor Spencer reviewed that candidate Eric Durpos met with City Councilmembers and staff on January 26 and 27, 2017. Following these meetings it is Mayor Spencer's recommendation that Council confirm the appointment of Mr. Durpos as Public Works Director, with a start date of March 6, 2017.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Daughtry, to confirm the appointment of Eric Durpos to the position of Public Works Director. On vote the motion carried (7-0-0-0).

Mayor Spencer announced that Senior Engineer Adam Emerson submitted his resignation; he will be going to work for WSDOT at the end of the month. He thanked Mr. Emerson for all of his hard work.

**Approve Supplemental Agreement No. 2 to Professional Services Agreement between City of Lake Stevens and Crandall Arambula, PC for Consultant Services:** Community Development Director Russ Wright presented the staff report and said that approval of this supplemental agreement will allow Crandall Arambula's subconsultant, Greenworks, to move forward with the design for North Cove Park. Director Wright commented that with the approval of this amendment, the City will have a permit-ready plan that is compatible with the work the City is doing in preparation for the temporary City Hall facility. Director Wright said that he distributed a full scope of services and the final quote this evening. Approval of this supplement will allow the City to move forward with the improvements to North Cove Park as an early action of the downtown plan. Director Wright then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Holder, to authorize the Mayor to execute Supplemental Agreement No. 2 to Professional Services Agreement between City of Lake Stevens and Crandall Arambula, PC for Consultant Services. On vote the motion carried (7-0-0-0).

**Authorize Interlocal Agreement with Snohomish Health District re Property Disposition:** Director Wright presented the staff report and said that signing of this Interlocal agreement will assist in clearing the title of the Rucker Building for sale, which is owned by Snohomish Health District. Director Wright explained that public funds from different jurisdictions and Snohomish County were used to finance the purchase of the building. The Health District has determined it is not financially feasible to continue in the Rucker Building and is seeking to sell the building and relocate to a more size-appropriate facility, meeting current staffing needs.

City Attorney Weed provided a brief history of how purchase of the building was financed in 1990-1991 with contributions by Snohomish County and participating cities. This was accomplished with a financing interlocal agreement between all of the participating parties. In 1996 the debt was paid off to the County and a deed was issued vesting title to the Snohomish County Health District. At that time there was to be an ownership interlocal agreement between all of the participating parties. That document has not been found, and it is uncertain if this second interlocal agreement was ever prepared.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Daughtry, to authorize the Mayor to enter into an Interlocal Agreement with Snohomish Health District re Property Disposition. On vote the motion carried (7-0-0-0).

**Discussion Items:**

**Annexation Updates:** Director Wright presented the staff report and updated Council on the status of the overall annexation strategy. He then reviewed specific tasks that have been undertaken, which will lead to the annexation of Area 1-Machias Industrial. He also reviewed the options for moving forward with an annexation and said that he and staff have been meeting with property owners in the Machias Industrial area. The next areas to be considered for annexation are the Island Area and Bonneville Field. Director Wright invited Councilmembers' questions and there were none.

**Sign Fees / Policy:** Director Wright reviewed the current sign permit fees and those of other nearby jurisdictions. He reviewed the various formulas used to determine the cost of sign permits, and also the formula that the City currently uses. Director Wright said that the City's sign permit fees are comparable to surrounding jurisdictions, and that they are predictable and easy to administer. For these reasons staff does not recommend significant changes to the base fee schedule at this time. Regarding replacement signs, Director Wright said those are easy reviews and asked if Council would like to institute a new nominal fee for over-the-counter replacement sign reviews. He also commented the City may want to consider at some point in the future small, inconsequential signs for home businesses. Director Wright then responded to Councilmembers' questions. There was consensus to add a nominal fee for replacement sign review.

**2017 Budget Amendment No. 1:** Finance Director Barb Stevens presented the staff report and reviewed the proposed budget amendments. She then responded to Councilmembers' questions. With Council's consensus, this will be brought forward for consideration at the February 28, 2017 Council meeting.

**SnoPac:** Councilmember Hilt said the City's 911 calls are processed and managed by SnoPac and SERS, the accompanying radio system. Both are managed as a consortium with member partners which includes other participating public entities and the County. There is some talk about consolidating all 911 systems, including the radio system within the County, and this comes with a potential needed upgrade of the radio system, with a potential cost of \$70 million. This would have to be a county-wide initiative of some sort. The City approached SERS and requested a presentation, since the City is not represented, along with other unrepresented areas in the County. The City's request for a presentation was rebuffed. The City is exploring how to proceed.

**Action Item:**

**Approve Ordinance No. 987 re Condemnation of Real Property:** City Attorney Weed presented the staff report and said that adoption of Ordinance No. 987 authorizes the City to proceed with acquiring the property under a condemnation process, is the first step for the City to acquire parcels adjacent to North Cove Park currently owned by Williams Investments, LLC. Approval of this ordinance does not preclude a purchase and sale agreement between the City and Williams Investment; it does set the stage so that if the parties cannot reach an agreed sale

price the City can move forward with a condemnation proceeding in court to acquire the property.

**Executive Session:** Mayor Spencer announced an executive session, regarding potential litigation, at 8:39 p.m. for 15 minutes with action to follow.

The regular meeting of the City Council reconvened at 8:57 p.m.

**MOTION:** Moved by Councilmember Hilt, seconded by Councilmember Daughtry, to approve Ordinance 987 re Condemnation of Real Property with an amendment to remove the property north of Lakeshore Drive. On vote the motion carried (6-1-0-0).

**Study Session:** None.

**Adjourn:**

Moved by Councilmember Tageant, seconded by Councilmember Hilt, to adjourn the meeting at 8:57 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