

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

Tuesday, February 27, 2018

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: Councilmembers Kim Daughtry, Gary Petershagen, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: Councilmember Kurt Hilt

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Police Chief John Dyer, Human Resources Director Teri Smith, IT Manager Troy Stevens, City Clerk Kathy Pugh and City Attorney Grant Weed

OTHERS:

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

Roll Call: Moved by Councilmember Daughtry, seconded by Councilmember Welch, to excuse Councilmember Hilt. On vote the motion carried (6-0-0-1).

Approval of Agenda: Mayor Spencer said that the U.S. Marshall's administration of the oath of office to Corp. Michael Hingtgen is being removed from tonight's agenda.

MOTION: Moved by Councilmember Welch moved, seconded by Councilmember McDaniel, to remove Consent Agenda Item I, Interlocal Agreement with Marysville re Soper Hill, to Discussion Items. On vote the motion carried (6-0-0-1).

MOTION: Moved by Councilmember Welch, seconded by Councilmember Petershagen, to approve the agenda as amended. On vote the motion carried (6-0-0-1).

Citizen Comments:

Chris Cloutier, 12304 – 26th Street NE, Lake Stevens, said he has submitted two fence code violations nineteen months ago, and is concerned about safety. He has been advised that his complaints have been put on hold pending changes to the fence code and he asked when his concerns will be resolved.

Council Business:

- Councilmember Daughtry: Snohomish County Committee for Improved Transportation
- Councilmember Petershagen: Snohomish County Hearing scheduled for ban on safe injection sites, requested a letter be sent supporting this ban.

Mayor's Business: Mayor Spencer announced that Costco is completing its due diligence for possibly siting a store in Lake Stevens, the funding is in the budget for South Lake Stevens Road improvements, will meet with Jonalyn Ivory-Woolfe regarding Snolsle and the next steps, Target is doing a \$1.1 million upgrade, the RAM Restaurant is locating in Lake Stevens, Callow Road improvements are moving forward, work is continuing on the Lake Stevens Sewer District Unification Agreement, US 2 Trestle funding update.

City Department Report.

- City Administrator Gene Brazel: Concessionaire Agreement, Historical Society.
- Community Development Director Russ Wright: Community Transit meeting on route changes and schedules in 2019, researching grant opportunities, Lake Safety Task Force February 28, tentative date for Beautification Plan Meeting of March 19.
- Public Works Director Eric Durpos: Callow Road, Oak Road, Downtown Main Street and Village Way requests for qualifications out, Lundein Park bid packet being finalized, Downtown Cultural Survey, Milfoil Treatment, 2018 overlay will be 91st SE, Safe Routes to School, annual NPDES report, infeasibility study and stormwater requirements update.
- Human Resources Director Teri Smith: Affordable Care Act Notices, Wellness Team, NeoGov Recruiting Site.
- Police Chief John Dyer: School Safety update.
- Finance Director Barb Stevens: Accounting/Records Clerk position, yearend, and various policy updates.
- City Clerk Kathy Pugh: reminded that Council will not have a quorum for its March 13th meeting and requested Council cancel the meeting.

MOTION: Moved by Councilmember McDaniel, seconded by Councilmember Welch, to cancel the City Council meeting on March 13, 2018. On vote the motion carried (6-0-0-1).

MOTION: Moved by Councilmember McDaniel, seconded by Councilmember Welch, to schedule a special meeting on March 6, 2018 at 7:00 p.m.

Consent Agenda:

MOTION: Moved by Councilmember Welch, seconded by Councilmember Tageant, to approve (A) 2018 Vouchers [Payroll Direct Deposits of \$203,992.73, Payroll Checks 44568-44569 totaling \$4,582.97, Tax Deposits of \$76,053.61, Electronic Funds Transfers (ACH) in the amount of \$14,238.43, Claims Check Nos. 44570-44675 totaling \$271,125.53, Void Check Nos 44317, 44380, 44438, 44476, 44561 and 44432 totaling \$8,743.65, Total Vouchers Approved: \$561,249.62], (B) January 19-20, 2018 City Council Special Meeting/Retreat Minutes, (C) February 6, 2018 City Council Workshop Meeting Minutes, (D) February 13, 2018 City Council-Planning Commission Joint Meeting Minutes, (E) Planning Commission Long Range Work Program, (F) Resolution 2018-09 re Authorizing Investment in Local Government Investment Pool. On vote the motion carried (6-0-0-1).

Action Items:

Wave Broadband Dark Fiber Order – City Hall to County Datacenter: IT Manager Troy Stevens presented the staff report and said that approval of this order will allow an additional leased fiber connection from City Hall to the County datacenter, providing redundancy in the

system and increased network resiliency, and ultimately improved connectivity, particularly during power outages and surges. Manager Stevens invited Councilmembers' questions and there were none.

MOTION: Moved by Councilmember McDaniel, seconded by Councilmember Daughtry, to approve the Dark Fiber Order with Wave Broadband LLC. On vote the motion carried (6-0-0-1).

Stevens Vista Final Plat Acceptance: Director Wright said tonight's action is to hold a public meeting and accept the Stevens Vista subdivision and associated right-of-way dedication. Director Wright reviewed the history of this plat from application to completion, and said that the final plat addresses all pre-application review comments. Staff recommends acceptance of the final plat and right-of-way dedication. He then responded to Councilmembers' questions.

Mayor Spencer invited public comment.

Lindsey LeGazzi, 9904 1st Street NE, Lake Stevens, is concerned about construction safety violations and the impacts of construction on the existing neighborhood, as well as drainage. She would also like more sidewalk access.

MOTION: Moved by Councilmember Tageant, seconded by Councilmember Welch, to accept the Stevens Vista subdivision and associated right-of-way dedication (LUA2018-0022). On vote the motion carried (6-0-0-1).

Discussion Items:

Interlocal Agreement with Marysville re Soper Hill: Director Wright presented the staff report and reviewed the history of this ILA, noting that Council was previously briefed in August and November about the coordination efforts with Marysville in developing the agreement. The ILA will allow Marysville to improve two intersections (83rd Avenue NE and 87th Avenue NE) onto Soper Hill. He said this interlocal is being brought forward because of development projects in Marysville seeking access to Soper Hill Road as a through connection. Director Wright highlighted the main points in the agreement and said that Lake Stevens will be the permitting authority which will give Lake Stevens control over the project. He reviewed other impacts including parks and traffic mitigations. The Mayors and City Administrators for both Marysville and Lake Stevens have reviewed the next steps moving forward and are recommending that the cities negotiate a second agreement or addendum to address the potential impacts of increased traffic from Marysville projects on Lake Stevens roads and cost sharing between the cities. Director Wright then responded to Councilmembers' questions.

Mayor Spencer commented he has participated in discussions with Mayor Nehring and Marysville is moving toward how it can help mitigate the traffic impacts to Lake Stevens. The Lowe's project is ready to move forward and that is why this agreement is proposed in two parts.

Discussion ensued with councilmembers expressing concerns as to what will ensure that Marysville will move forward with the second agreement, access to the Lowe's traffic study, vehicle access to Lowe's on Soper Hill Road, public safety and who responds to incidents, and responsibility for road maintenance, including the intersection, under this interlocal agreement.

Code Amendment re Authority for Final Plat Approval: Senior Planner Machen presented the staff report and said new state legislation provides that approval authority for final plats for

short and long subdivisions may be delegated to administrative personnel through local legislation. Providing for administrative approval of these land use applications would streamline the process. If there is consensus of Council to move forward with this code amendment, the Planning Commission would consider the proposed code changes, hold a public hearing and make a recommendation to Council. Planner Machen then responded to Councilmembers' questions. If Council supports administrative approval of final plats that approval would be by the Directors of Community Development and Public Works.

City Attorney Weed explained that regulatory reform allows for one open record hearing, which is the preliminary plat hearing before the hearing examiner. The hearing examiner determines if the plat application meets all legal requirements and has provided all required environmental mitigations; the hearing examiner may impose conditions. There is no latitude to consider additional testimony and make changes following the hearing examiner decision. This is the reason final approval can be administrative.

Director Wright said the Planning Commission requested direction from Council, and this is about modernizing and streamlining the process.

Discussion ensued and Council generally supported streamlining the process, but also would like to know what the City can do to better inform the public of plat developments, including expanding the notification area and using social media to inform the public. Council also asked if there is an opportunity for public comment at the last moment.

Director Wright reviewed the legal requirements for public notice, and added that staff is also using the city website for public notice and is exploring how social media could be used for the same purpose. Director Wright also clarified that once the hearing examiner decision is made there is a right to ask for reconsideration or to appeal the decision.

Resolution 2018-08 Adopting Updated Council Rules of Procedure: City Administrator Brazel presented the staff report and said that staff has now completed additional review of the draft procedures in response to Council's discussion at the February 13th Council meeting. He noted that language has been added to Section 2.2 to provide that a motion to extend the meeting will be entertained by the Presiding Officer at 8:00 p.m., and clarified that Section 10.3 provides that the City Clerk or designee will attend Regular and Special Meetings and take minutes. Council would like to be more involved with the interview process, and it was suggested that interviews be a two-step interview process, with the first interview panel being the Mayor, the board/commission chair, the Council liaison and the staff liaison. The second interview panel would consist of the Council liaison and the two annually appointed councilmembers. This panel would make the final recommendation to the Mayor. Staff requested Council input.

Discussion ensued with Council preferring a single interview process per candidate and wanting more input in the appointment of candidates. Also, it was commented that a candidate could be appointed and confirmed at one meeting, and invited to a following meeting to be introduced. Council would like a greater voice in the selection of board and commission members.

Attorney Weed clarified under code that the Mayor makes the selection and appointment, with Council confirmation of that appointment. He added it is important to review and update Council procedures regularly.

Public Works Organizational Structure: Director Smith presented the staff report and explained the need to implement some structure to the Public Works department. She reviewed the proposed organizational chart and said this also considers the future role with the sewer district. Director Wright then responded to Councilmembers' questions.

Discussion ensued and Council was supportive of the proposed organizational structure.

2017 Final Budget Update: Director Stevens provided the 2017 final budget update and commented that expenditures increased, but that overall the city came in 24% under budget; revenues finished 1% under budget.

2018 Budget Amendment No. 1: Director Stevens presented a PowerPoint presentation and reviewed the proposed budget amendments including projected increased revenues, as well as increased expenditures.

Discussion ensued, and Council said it is important to look at the City's priorities. There was a suggestion to add a public works person and there was concurrence to re-evaluate economic development. Requests were made to revisit funding of the chamber employee and to add funding for the powerline park.

Procurement Policy: Director Stevens said this is a large undertaking and it will be brought forward in steps. She reviewed the purpose of the Procurement Policy is to implement city, state and federal regulations and to provide a fair forum for those who want to do business with the city. Also, updating the procurement policy will improve provide efficiencies for the city in conducting its business. Director Stevens provided an overview on how the procurement policies are utilized through the various city departments.

Study Session: None.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Daughtry, to continue the meeting beyond 9:00 p.m. On vote the motion carried (6-0-0-1).

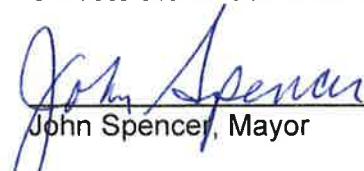
Executive Session: Mayor Spencer announced an executive session beginning at 9:01 p.m. and lasting ten minutes for the purpose of discussing collective bargaining, with action to follow.

At 9:12 p.m. Attorney Weed announced a five-minute extension.

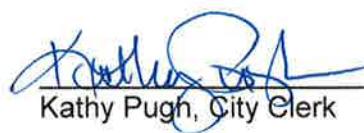
The regular meeting of the City Council reconvened at 9:17 p.m.

Adjourn:

Moved by Councilmember Daughtry, seconded by Welch, to adjourn the meeting at 9:18 p.m. On vote the motion carried (6-0-0-1).



John Spencer, Mayor



Kathy Pugh, City Clerk