

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

Tuesday, May 22, 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, Kurt Hilt, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: None.

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, Human Resources/Executive Assistant Julie Good, Associate Planner Jill Meis, City Clerk Kathy Pugh, City Attorney Grant Weed, Commander Ron Brooks

OTHERS:

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

Roll Call: All present.

Approval of Agenda: Mayor Spencer requested an executive session be added to the agenda regarding pending litigation, to be held after the Public Hearing and before the Action items, with no action to follow.

Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve the agenda with the addition of the executive session prior to Action Items. On vote the motion carried (7-0-0-0).

Citizen Comments:

Sally Jo Sebring, 1023 – 99th Avenue SE, Lake Stevens, opposes approval of Ordinance 1023 regarding Final Plat Authority.

Carla DeLaVergne 7916 – 8th Street SE, Lake Stevens, said she lives at the corner of 79th and 8th Street SE, which is a blind driveway; she is concerned about the safety at this intersection and requested a solution be identified to slow down traffic.

Council Business:

- Councilmember Daughtry: Snohomish County Cities, Snohomish County Cities for Improved Transportation, Sewer District.
- Councilmember Petershagen: Sewer District, joint meeting with Marysville.
- Councilmember Hilt: SR 204/SR 9 Open House, Parks Commission, Cavelero and Eagle Ridge Parks, joint meeting with Marysville.
- Councilmember McDaniel: Joint meeting with Marysville, Planning Commission Public Meeting re Downtown, Navy Housing, SR 204/SR 9 Public Meeting.
- Councilmember Gailey: Joint meeting with Marysville; Snohomish Economic Alliance, Snohomish County Cities.
- Councilmember Tageant: Sewer Utility Committee, joint meeting with Marysville.

Mayor's Business: SR 9/SR 204 Open House, Snohomish County Council, met with Representative Rick Larsen regarding the Trestle, Legislators' Reception.

City Department Report.

- Community Development Director Russ Wright: Marysville/Whiskey Ridge growth numbers and Memorandum of Understanding, Planning Commission–Downtown Plan Public Meeting, Economic Alliance Summit, grant applications, Police Department design interviews scheduled.
- Public Works Director Eric Durpos: National Public Works Week, 20th Street SE Ballfields, Lundein Park.
- Chief of Police John Dyer: 2017 Annual Report, strategic planning, staffing update, Special Olympics.
- Finance Director Barb Stevens: Annual financial statements.
- City Clerk Kathy Pugh: asked regarding the July 3, 2018 Workshop meeting and there was consensus to cancel this meeting.

Consent Agenda:

Councilmember Gailey requested Consent Agenda Item (D) be moved to Action Items.

MOTION: Moved by Councilmember McDaniel, seconded by Councilmember Gailey, to move Consent Agenda Item (D), Contracts re Music by the Lake and Shakespeare in the Park to Action Items for consideration. On vote the motion carried (7-0-0-0).

MOTION: Moved by Councilmember Welch, seconded by Councilmember Hilt, to approve (A) 2017 Vouchers [Payroll Direct Deposits of \$208,723.94, Payroll Checks 45237-45238 totaling \$4,463.16, Tax Deposits of \$78,550.76, Electronic Funds Transfers (ACH) of \$7,269.77, Claims Check Nos. 45236, 45239-45343 totaling \$371,096.22, Void Check Nos. 45044, 45161, 45206 totaling \$739.71, Total Vouchers Approved: \$669,364.14], (B) City Council Workshop Meeting Minutes of May 1, 2018, (C) City Council Regular Meeting Minutes of May 8, 2018, and (D) Contracts re Music by the Lake and Shakespeare in the Park [Removed], as amended. On vote the motion carried (7-0-0-0).

Public Hearing:

Pellerin Heights Annexation: Mayor Spencer opened the public hearing.

Community Development Director Russ Wright presented the staff report, including a review of the City Council's annexation strategy and the procedural history of this annexation. He noted there has been a lot of public comment and that a lot of concerns have been raised regarding growth, what the density will look like in the annexation area, and how traffic will be impacted. He then responded to Councilmembers' questions.

Proponent David Toyer, Toyer Strategic Consulting, 3705 Colby Avenue, Suite 1, Everett, clarified the zoning that currently exists under the county. Mr. Toyer said that proceeding with the annexation is consistent with the Growth Management Act, the City's resolution and the City's comprehensive plan. He noted this is not a request to approve a development, it is a request to approve an annexation that will move the properties from the county into the city. Mr. Toyer commented that whether the property is in the city or county, it is within an urban growth boundary and development is allowed.

Mayor Spencer invited public comment.

Janis Thompson, 10733 18th – Street SE, Lake Stevens, understood this was to be an annexation with high density housing, as one package deal. Director Wright explained the zoning designation is HUR, with a minimum lot size of 3600 square feet. Tonight's action is only to annex the property and set the rules for future development.

Ford Poston, 1520 – 107th Avenue SE, Lake Stevens, said he is not opposed to the annexation, but he is concerned over the density and the quality of new housing. He believes the City has the ability to make these new communities more livable. Mr. Poston also is concerned that higher density creates narrow, congested streets and high traffic.

Dan Jettick, 1516 – 107th Avenue SE, Lake Stevens, said he is concerned about how development happens. Mr. Jettick does not believe the 10% application represents the residents in the community and not all support the annexation. He does not support approval of the ordinance without an amendment to drop the HUR density.

Val McDonald, 10711 – 18th Street SE, Lake Stevens, does not believe the 10% annexation signatures that were gathered are representative of the area. She is also concerned about the cost of living increase that will come with annexation, and said the infrastructure does not support the proposed zoning and density.

Mathew Goodwell, 10902 – 18th Street SE, Lake Stevens, is concerned about increased traffic with HUR density, and specifically increased traffic on SR 204. Mr. Goodwell said 60% of the property owners of the annexation area is 3 people, and is not representative of all the property owners.

Michelle Hampton, POB 596, Lake Stevens, clarified that the 60% petition represents 60% of the assed property value of the annexation area; she suggested Lake Stevens consider changing the vote to one house, one vote in future annexations.

Sarah Day, 10717 – 18th Street SE, Lake Stevens, said she agrees with comments and concerns that were already addressed and said she was never asked for her opinion or

signature. She supports annexation but is concerned about density. Ms. Day said there are no jobs or infrastructure to support new development.

John Tanner, 10726 – 18th Street SE, Lake Stevens, said he did not sign petition and did not vote. He is concerned about traffic on South Lake Stevens Road.

Mayor Spencer closed the public comment portion of the public hearing.

Discussion ensued and Director Wright responded to additional questions by Council.

Responding to Councilmember Petershagen's questions, Director Wright said that a traffic study will be required for development, and that if the property were developed in the county a Planned Residential Development would be allowed.

Councilmember McDaniel said she attended one of the annexation meetings and she believes the applicant has met the requirements. Councilmember McDaniel supports this annexation.

Councilmember Tageant supports the annexation and commented that when South Lake Stevens Road is addressed, if tax dollars are paid into the City they will support City infrastructure, whereas; if the tax dollars are paid to the County they can be allocated anywhere in the County.

Director Wright explained that tonight's action sets the minimum density. The proponent requested the HUR density based on the cost of infrastructure, including bringing in sewer and water. He added there is some accountability to meet the regional growth strategy under the Growth Management Act. However, an individual developer does not have to build to maximum allowed density, and zoning can be changed to a less dense zoning through a comprehensive plan amendment.

Director Wright also discussed how parking concerns would be addressed. He further commented regarding arterial access, that each project will need to do a traffic analysis to determine how the proposed project will affect levels of service, and that traffic impact fees will be required to address deficiencies.

Mayor Spencer closed the public hearing.

MOTION: Moved by Councilmember Hilt, seconded by Councilmember Gailey, to adopt Ordinance 1028 approving the Pellerin Annexation, the simultaneous adoption of land use and zoning designations and require the assumption of all existing indebtedness. On vote the motion carried (7-0-0-0).

Executive Session: Mayor Spencer announced an executive session beginning at 8:07 p.m. and lasting 10 minutes for the purpose of discussing pending litigation, with no action to follow.

At 8:17 p.m. the City Clerk announced the executive session is extended five minutes.

At 8:24 p.m. the City Clerk announced the executive session is extended another five minutes

The regular meeting of the City Council reconvened at 8:31 p.m.

Action Items:

Contracts re Music By the Lake and Shakespeare in the Park: Responding to Councilmember Gailey's question regarding allowing alcohol at the summer art events, City Clerk Pugh said that the Rotary Club be bringing a request forward at the next Council meeting for approval to sell beer and wine at Lundein Park during the Music By the Lake. This is a separate request from approval of the contracts. The Rotary request for alcohol will only be for the music events.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Hilt, to approve the performance agreements for the 2018 Shakespeare in the Park, Music on the Lake and Movies in the Park. On vote the motion carried (7-0-0-0).

Ordinance 1023 re Final Plat Authority: Director Wright presented the staff report and said this is a second reading of Ordinance 1023; he then reviewed the procedural history. He commented the City Council previously held a public hearing on this ordinance at the April 24, 2018 Council meeting and closed the public hearing at that meeting after receiving public comment. Director Wright said the Council's requested changes were made to the ordinance following the April 24th meeting. Director Wright also said that final subdivision applications that are submitted prior to the effective date of the ordinance will be heard by Council. He then responded to Councilmembers' questions.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Hilt, to approve Ordinance 1023 relating to the approval authority of final subdivisions. On vote the motion carried (7-0-0-0).

2018 Aquafest Request to Serve Beer and Wine in the VIP Booth: Director Wright presented the staff report and said this request by Aquafest requires Council approve pursuant to the Lake Stevens Municipal Code. Staff then responded to Councilmembers' questions.

Councilmember Daughtry responded to questions about the security of the VIP area.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Hilt, to approve the Aquafest Committee's request to serve beer and wine in the VIP Booth during the 208 Aquafest Celebration on Saturday, July 28. On vote the motion carried (6-0-1-0) with Councilmember Daughtry abstaining.

Washington State Historical Society Heritage Capital Projects Grant Application: Director Wright presented the staff report and said if awarded, this grant could assist with the North Cove Park improvements. The grant meets the City's identified goals and objectives, and Director Wright said under the City's municipal code, the Council must approve this grant application. He then responded to Councilmembers' questions.

Mayor Spencer responded to Councilmember McDaniel's questions regarding dredging.

Councilmembers Tageant and Hilt support making the North Cove Park area more user friendly, especially for children's use of the park area.

MOTION: Moved by Councilmember Daughtry, seconded by Councilmember Hilt, to approve Resolution 2018-17 authorizing and endorsing the submittal of a 2018 Washington State

Historical Society Heritage Capital Projects Grant application for funding for improvements to public access at North Cove Park. On vote the motion carried (7-0-0-0).

Comprehensive Procurement Policy: Finance Director Barb Stevens presented the staff report and reviewed the process used to bring a revised comprehensive procurement policy forward, including gathering both staff and Council input, and legal review. Director Stevens explained that adoption of the new policy is actually a three step process which includes adoption of Ordinance 1024, amends and repeals portions of the code relating to public works project and the process for awarding public works contracts.

MOTION: Moved by Councilmember McDaniel, seconded by Councilmember Welch, to approve Ordinance 1024 amending and repealing sections of LSMC 3.5 Relating to Contracting for Services and Public Works projects. On vote the motion carried (7-0-0-0).

Director Stevens said adoption of Resolution 2018-16 regarding the Small Works Roster process. This resolution updates the thresholds in accordance with the RCW's, and also allows the City to use MRSC for the rosters but does not preclude the City from developing its own rosters in the future.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Gailey, to approve Resolution 2018-16 establishing a Small Works Roster process and repealing Resolution 2007-24. On vote the motion carried (7-0-0-0).

Director Stevens said that adoption of Resolution 2018-15 adopts the Comprehensive Procurement Policy and repeals the earlier resolution and policy. She said the document identifies the thresholds for purchasing and also includes directions on how to use the policy. Director Stevens commented this is a living document and that it is very comprehensive. She noted there will likely be additional amendments brought forward in the future. Director Stevens then responded to Councilmembers questions.

MOTION: Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve Resolution 2018-15 adopting a Comprehensive Procurement Policy P-2-2018 and repealing Policy P-2-97, and establishing Resolutions. On vote the motion carried (7-0-0-0).

Professional Services Agreement with Henley Leadership Group: Human Resources Director Smith presented the staff report and said that the professional services agreement will provide a partnership with a professional leadership development group that will provide tools and resources to assist leaders to make improvements where necessary and to build upon the skills they already have. Director Smith invited Councilmembers' questions and there were none.

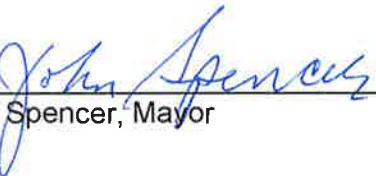
MOTION: Moved by Councilmember Welch, seconded by Councilmember Hilt to approve a professional services agreement with Henley Leadership Group. On vote the motion carried (7-0-0-0).

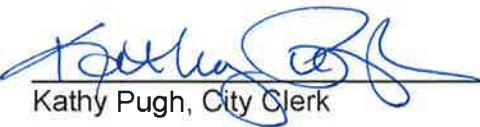
Discussion Items: Responding to Councilmember Tageant's question, there was a consensus to hold a half-day mini retreat in September to review the status of meeting goals and other objectives by year end.

Study Session: None.

Adjourn:

Moved by Councilmember Tageant, seconded by Welch to adjourn the meeting at 8:49 p.m. On vote the motion carried (7-0-0-0).


John Spencer, Mayor


Kathy Pugh, City Clerk