

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

Tuesday, August 28, 2018

Lake Stevens School District Educational Service Center (Admin. Bldg.)  
12309 22<sup>nd</sup> Street N.E. Lake Stevens

**CALL TO ORDER:** 6:59 p.m. by Mayor Pro Tem Marcus Tageant

**ELECTED OFFICIALS PRESENT:** Councilmembers Kim Daughtry, Gary Petershagen, Kurt Hilt, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

**ELECTED OFFICIALS ABSENT:** Mayor John Spencer, Councilmember Brett Gailey,

**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, Commander Jeff Beazizo, Human Resources Director Teri Smith, Human Resources/Executive Assistant Julie Good, City Clerk Kathy Pugh, Deputy City Clerk Adri Crim, City Attorney Grant Weed, IT Manager Troy Stevens; Associate Planner Jill Meis, Public Works Utility Inspector Phil Stevens, Capital Projects Manager Aaron Halverson,

**OTHERS:**

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**Pledge of Allegiance:** Mayor Pro Tem Tageant led the Pledge of Allegiance.

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

**Approval of Agenda:** Mayor Pro Tem Tageant noted that Councilmember Gailey requested to be included in discussions on the scope of services for Outcomes by Levy.

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

**New Employee Introductions:** City Clerk Pugh introduced Adri Crim as the new Deputy City Clerk/Accounts Payable Specialist and Public Works Director Durpos introduced Phil Stevens as the new Public Works Inspector. Director Wright updated that Josh Machen has been promoted to the Planning Manager position.

**Citizen Comments:**

Michele Hampton, POB 596, Lake Stevens, WA complimented Aquafest and the City staff on the Aquafest event.

**Council Business:**

- Councilmember Daughtry: Aquafest, Snohomish County Cities for Improved Transportation (SCCIT).
- Councilmember Petershagen: Sewer District, milfoil lake tour.
- Councilmember Hilt: Thanked Michele Hampton for MC'ing the Aquafest Grand Parade; Tacoma Public Works site visit.
- Councilmember McDaniel: Concerns regarding AquaTechnex.
- Councilmember Welch: no report.
- Councilmember Tageant: Sewer Utility Committee, City Picnic.

**Mayor's Business:** No report.

**City Department Report:**

- City Administrator Gene Brazel: Family Center and Rowing Club Lease Agreement updates, City Attorney contract.
- Community Development Director Russ Wright: Annexation update.
- Chief of Police John Dyer: Staffing update, Civil Service, Sno 911/SERS update, Police Department Building.
- Finance Director Barb Stevens: Budget.
- City Clerk Kathy Pugh: JLARC, Records Management.

**Consent Agenda:**

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Hilt, to approve (A) 2018 Vouchers [Payroll Direct Deposits of \$640,910.29, Payroll Checks 45673-45374, 45777, 45789 totaling \$5,276.58, Tax Deposits of \$234,772.72, Electronic Funds Transfers (ACH) of \$283,267.29, Claims Check Nos. 45675-45776, 45778-45788, 45790-46007 totaling \$1,406,955.92, Void Check Nos. 44415, 45496, 45509, 45621, 45529, 45771 totaling \$8,968.14, Total Vouchers Approved: \$2,562,214.66], (B) City Council Regular Meeting Minutes of June 26, 2018, (C) City Council Regular Meeting Minutes of July 10, 2018, (D) Ordinance 1029 Amending LSMC 2 re Boards and Commissions, (E) Cancel September 4, 2018 Workshop Meeting, (F) Contract Extension with Dick's Towing, (G) Removal of Planning Commissioner, (H) Contract with Lake Stevens School District for School Resource Officer. On vote the motion carried (6-0-0-1).

**Public Hearing:**

**Storm Water Management:** Mayor Pro Tem Tageant opened the public hearing.

Capital Projects Coordinator Halverson presented the staff report and summarized that FCS Group was retained to complete a stormwater rate study which was presented to City Council at the June 19, 2018 Workshop meeting. Mr. Halverson reviewed the Level of Service Options that were presented and said that Council direction supported moving to the Level of Service 3 option at this time. Tonight's requested action is to adopt Ordinance 1032 which amends LSMC Title 11.04 and approve Resolution 2018-22 setting Rates and Fees to provide for the new stormwater management fees.

Capital Projects Manager Halverson invited questions of Council. Councilmember McDaniel asked why LOS 5 was not included.

Councilmember Petershagen recalled that the discussion of LOS 5 was never fully resolved and that Council would review and consider separately. Councilmember Tageant agreed with Councilmember Petershagen's comments.

Director Durpos said that at the retreat, Council asked what the dollar amount would be so that was included in the rate study, but this is more complicated. He recalled that Council's direction did not include LOS 5, but that they supported LOS 3.

Mayor Pro Tem Tageant noted that Councilmember Gailey also requested that LOS 5 be included in the report.

Councilmember Hilt confirmed that Council is not ready to include LOS 5.

Mayor Pro Tem Tageant opened the hearing for Public Comment.

Steve Himmel, 121 – 101<sup>st</sup> Avenue NE, Lake Stevens, noticed that the rate increase is fairly high and wondered why. He is unclear whether the cost increase is warranted given the high development levels in the City.

Michele Hampton, POB 596, Lake Stevens, is concerned about the "bonus penalty" for homeowners around and adjacent to the lake. She requested the rates be equivalent throughout the City.

Mayor Pro Tem Tageant closed the public comment portion of the public hearing.

Councilmember Hilt commented that the comparable cities are in the process of reviewing and possibly updating their stormwater rates. He noted the City has not reviewed rates in several years.

Coordinator Halverson explained to the audience what a vector truck is and how it can provide benefit to the City.

Responding to Mayor Pro Tem Tageant's question, Coordinator Halverson confirmed that the state is mandating improved processes to the City. He added that the Lake Benefit Management Fee is for the benefit of the people who live around the lake. Director Durpos noted this fee has already been in place and it has not changed. He also explained that the methodology of the fee was studied and it was determined that the additional fee would be implemented to help improve water quality over time which is a benefit to those living on the lake. Director Wright added there are some ecological benefits the additional fee is trying to address as well. He noted the homes on the lakefront possess more ecological challenges that directly affect the lake and the Lake Benefit Management Fee is used to help address those challenges.

Councilmember Petershagen mentioned the City cannot go ten years without evaluating the cost of services. He added that he does not know if it is appropriate to use funds from the increased fees to fund capital projects such as the public works shop remodel, a decent facility and fueling station.

Coordinator Halverson explained that the public works crew maintains the utility and the infrastructure and the \$300,000 is only a portion of the Public Works Shop Remodel; other funds will also be used to pay for the remodel.

Director Durpos explained it is like needing a new Police Department, it will not put any more boots on the ground to help keep people safe but the department needs those support services to be efficient at their job.

Responding to Councilmember Welch's question regarding homeowners in HOAs, Coordinator Halverson noted each single family resident will be charged at the ESU rate on their property tax assessment each year, which is separate from what the HOA pays for the retention pond. Coordinator Halverson clarified how the rates are calculated based on whether a residence is a single-family residence or a condo.

City Administrator Brazel commented that right now the rate is set to not operate as a full utility which is the problem with the rate and why it has not been adjusted in ten years. By adopting this ordinance, the rates will allow the City to provide a complete utility to the benefit of its residents.

Mayor Pro Tem Tageant closed the public hearing.

**MOTION:** Moved by Councilmember Petershagen, seconded by Councilmember Hilt, to Adopt Ordinance 1032 amending Lake Stevens Municipal Code Title 11.04 to provide for a utility rate collection methodology from rate categories to Equivalent Service Units, remove references to common billing with the sanitary sewer utility, provide for collection of surface water utility rates with the yearly property tax assessment and replace references to the Finance Director with Public Works Director with the proviso that within the next 60 days Council revisit a policy on handling HOA storm drainage facilities. On vote the motion carried (6-0-0-1).

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to Approve Resolution 2018-22 updating the City's fees schedule to incorporate the findings of the FCS Group Stormwater Rate Study including the Equivalent Service Unit fee methodology and increasing the surface water rate to provide for Level of Service 3. On vote the motion carried (6-0-0-1).

**Action Items:**

**Beautification Plan:** Associate Planner Meis presented the staff report and reviewed the key elements of the comprehensive beautification plan noting several open houses were held to collect community input. Staff is requesting the plan be approved and together with implementation of aspects of the plan, such as the wayfinding signs and select street signs. Associate Planner Meis noted there is funding remaining in the budget that could be used for the signs. Staff would then return in 2019 to implement other aspects of the plan. She then invited Councilmembers' questions.

Councilmember Daughtry mentioned the consultant, KPG, did an excellent job in conducting the open houses, receiving public comment and then making changes based on the public's input.

Councilmember Petershagen asked if the new logo is conceptual or the actual proposal.

Planner Meis responded the signage was designed and redesigned after receiving very positive public input. These are the largest of the gateway designs and would be in select location.

Responding to Councilmember Welch's question, Planner Meis said that approval of the plan does not involve additional budget. There are funds remaining in the budget that staff is recommending be used to implement wayfinding signage, based on feedback received.

Councilmember Hilt asked about a budget for 2019, and Director Wright said that a budget was approved in 2018 and staff will be requesting an equivalent budget for 2019 to continue forward. Budget requests will be made annually to implement this program.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Daughtry, to adopt the Beautification Plan. On vote the motion carried (6-0-0-1).

**Naming of Parks Located in Frontier Heights and the 20<sup>th</sup> Street Ballfields:** Director Wright presented the staff report and explained that polls were taken both online and at Aquafest to determine names for the park at Frontier Heights and the park at 8629 20<sup>th</sup> Street SE. He also reviewed the City's policy for naming parks and reviewed staff's recommendations. The recommendation from the Park Board is to maintain the name Frontier Heights Park, the Park Board, with a slight modification from staff, recommended South Lake Fields or Trestle Fields. Director Wright then responded to Councilmembers' questions.

Councilmember Hilt attended the Park Board meeting and there was clear direction for Frontier Heights Park but there was a split on renaming 20<sup>th</sup> Street SE Ballfields. He recommended approving the Frontier Heights name and then consider names for the 20<sup>th</sup> Street SE Ballfields at a later meeting during the fall.

Councilmember McDaniel inquired if there was discussion on naming the 20<sup>th</sup> Street soccer fields after the young resident who the fields were originally built for.

Director Wright noted there was discussion about naming it after the young player or also naming it after the individual who donated the land but the Parks Board was open to ideas and decided to leave it open for Council to make the decision.

MOTION: Moved by Councilmember Hilt, seconded by Councilmember Petershagen, to approve the naming of the park located in Frontier Heights as Frontier Heights Park and refrain from naming the 20<sup>th</sup> Street ballfields at this time. On vote the motion carried (6-0-0-1).

**Callow Road Final Project Acceptance:** Director Durpos presented the staff report and noted the final construction cost was below the Council approved project budget including contingency.

MOTION: Moved by Councilmember Petershagen, seconded by Councilmember Welch, to Authorize the Final Project Acceptance of the work performed for the Callow Road Improvements. On vote the motion carried (6-0-0-1).

**Contract with Quilceda Paving & Construction, Inc. for Annual Street Overlay:** Director Durpos presented the staff report and noted this year's overlay project includes a grind and overlay of 91<sup>st</sup> Avenue SE from Meridian to just south of 8<sup>th</sup> Street SE. The lowest bidder was Quilceda at \$261,277.63, and construction will begin after September 11, 2018. Property

owners in the area will be contacted to inform them of the impending construction and the contractor will place message boards at each end of the project to inform the general public of the construction.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Hilt, to Award the 2018 Pavement Overlay Project to Quilceda Paving in an amount of \$261,277.63 with an authorized administrative contingency of \$52,255.00. On vote the motion carried (6-0-0-1).

**Resolution 2018-23 Adopting Comprehensive Emergency Management Plan:** Commander Beazizo presented the staff report and reviewed the new Comprehensive Emergency Management Plan (CEMP). He noted the CEMP was developed through a collaboration of several Snohomish County and City of Lake Stevens governmental and public safety agencies and is a guide for organizations and individuals to know what to do in an emergency. Commander Beazizo then invited Councilmembers' questions and there were none.

Councilmember Hilt is thoroughly impressed that the City, Fire District and School District logos are included showing that there is buy in from all these entities which is unique to our community.

**MOTION:** Moved by Councilmember Hilt, seconded by Councilmember Daughtry, to approve Resolution 2018-23 adopting a Comprehensive Emergency Management Plan. On vote the motion carried (6-0-0-1).

**Replacement of Police Fleet Vehicles Scheduled for 2019:** Police Chief Dyer presented the staff report and explained the new replacement cycle for fleet vehicles. He noted that the replacement vehicles will be ordered from Ford Motor Company and explained that Ford is moving to a new hybrid model in 2020, and will begin retooling vehicle design in 2019. In order to receive 2019 models, vehicles need to be ordered now. Tonight's requested action is to authorize \$33,000 be transferred to the LE 520 Capital Fund and order of four Police Vehicles in 2018. He then invited Councilmembers' questions and there were none.

**MOTION:** Moved by Councilmember McDaniel, seconded by Councilmember Petershagen, to approve 2018 replacement of four vehicles scheduled to be replaced in 2019. On vote the motion carried (6-0-0-1).

#### **Discussion Items:**

**Outcomes by Levy Draft Scope of Services:** Mayor Pro Tem Tageant reminded Council that Councilmember Gailey would like to be part of this discussion prior to any decisions being made and asked that it be added to the upcoming Council retreat agenda.

Councilmember Welch asked if the lobbyists have a conflict if they are working for multiple cities. City Administrator Brazel responded not typically as lobbyists try to avoid those types of situations. Outcomes by Levy's only other client is Renton and there is no apparent conflict.

**Executive Session:** At 8:00 p.m. Mayor Pro Tem Tageant announced an executive session beginning in 5 minutes to last 25 minutes to discuss Real Property Sale/Acquisition and Pending Litigation, with no action to follow.

At 8:30 p.m. City Clerk Pugh announced the executive session is extended ten minutes.

At 8:40 p.m. City Clerk Pugh announced the executive session is extended 5 more minutes

At 8:45 p.m. the regular meeting of the City Council reconvened.

**Adjourn:**

Moved by Councilmember Daughtry, seconded by McDaniel to adjourn the meeting at 8:45 p.m.  
On vote the motion carried (6-0-0-1).



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Marcus Tageant, Mayor Pro Tem



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Kathy Pugh, City Clerk