

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

Tuesday, February 19, 2019  
Lake Stevens Community Center  
1808 Main Street, Lake Stevens WA

**CALL TO ORDER:** 7:00 p.m. by Mayor John Spencer

**ELECTED OFFICIALS PRESENT:** Councilmembers Gary Petershagen, Kim Daughtry, 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, Human Resources Director Teri Smith, Police Commander Ron Brooks, City Clerk Kathy Pugh, City Attorney Greg Rubstello, Troy Stevens IT Manager

**OTHERS:**

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

**Roll Call:** All present.

**Approval of Agenda:**

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

**Citizen Comments:**

Stacy Brewer, 1101 – 116<sup>th</sup> Avenue SE, Lake Stevens said the Rhodora neighborhood residents do not support the annexation and acknowledged the City will move forward with this annexation.

Joe Vaughn, 230 84<sup>th</sup> Avenue NE, Lake Stevens, agrees with the previous comments and wants to know if building standards will be met.

**Council Business:**

- Councilmember Petershagen: Sewer District, WSDOT open house regarding the SR 204/SR 9 intersection improvements on March 20, 2019 at 6 p.m. at Hillcrest Elementary.
- Councilmember Hilt: Parks Board was canceled due to the weather; Snohomish Health District.
- Councilmember Tageant: Complimented Public Works for a job well done during the recent snow storms.

- Councilmember Welch: Arts Commission.
- Councilmember McDaniel: Lake Stevens Fire District will hold a public meeting regarding the proposed merger with Fire District 7 on February 26.
- Councilmember Gailey: Shared Councilmember Tageant's comments regarding Public Works.

**Mayor's Business:** Catherine Creek Park was used as a sledding area during the recent snow event and Lake Stevens Fire was on site to ensure everyone's safety; met with WSDOT regarding the planned work for the SR 204/SR 9 intersection improvements.

**City Department Report:**

- City Administrator Gene Brazel: Snohomish Health District will be providing a financial report to the City as requested.

**Consent Agenda:**

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember McDaniel, to Adopt Ordinance 1041 Annexing the properties contained within the Rhodora 60% Annexation Petition and Adopt Comprehensive Plan Designation and Zoning for the Annexed Parcels, and requiring the assumption of a proportionate share of all existing City indebtedness. On vote the motion carried (7-0-0-0).

**Public Hearing:**

**City Right of Way Vacation 99<sup>th</sup> Avenue SE and 20<sup>th</sup> Street SE:** Mayor Spencer opened the Public Hearing.

Community Development Director Wright presented the staff report and said the requested action is a technical correction related to the 20<sup>th</sup> Street SE property sales. The parcel involved is a remnant parcel from an earlier right-of-way transfer by Snohomish County to the City. Tonight's requested action will attach this remnant to the previous parent parcel, and clean up the title of the surplus property. The legal descriptions are completed and the property meets the criteria for right-of-way vacation. Public notice was completed; there have been a couple of inquiries, but no formal letters or comments were received. Director Wright invited questions of Council and there were none.

Mayor Spencer opened the Public Comment portion of the Public Hearing and invited public comment. There was no public comment and Mayor Spencer then closed the Public Comment Portion of the hearing.

Mayor Spencer invited additional questions by Council to staff and there were none. Mayor Spencer then closed the Public Hearing.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Tageant, to approve the Right-of-Way Vacation by adoption of Ordinance 1049. On vote the motion carried (7-0-0-0).

**Action Items:**

**Resolution 2019-08Amending Surplus Real Property Inventory:** Director Wright presented the staff report and explained this property, commonly known as the "Nursery Property" has been identified as a surplus property for disposition and use as set out in the next agenda item. Before taking action on the next matter, the property must be surplused from the City's Real Property Inventory.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Hilt, to approve Resolution 2019-08 authorizing the City Council to surplus real property and authorizing the Mayor or designee to convey or sell real property pursuant to Chapter 2.98 LSMC. On vote the motion carried (7-0-0-0).

**Real Estate Purchase and Sale Agreement with Tim Kaintz re Nursery Property:** City Administrator Brazel presented the staff report and explained the property surplused in the previous action was identified as a suitable property for a Food Bank and other City-supported programs. The property will be sold at a very favorable price to Tim Kaintz, who has in turn agreed to make the property available for construction of a new Food Bank that would also house other City-supported programs in perpetuity. Administrator Brazel said there are two minor changes to the purchase and sale agreement: (1) the closing date is changed to April 1, 2019, and (2) in paragraph 12.12 the words "buyer" and "seller" are reversed.

Councilmember Petershagen requested the closing date be changed to March 30, or the last business day of the month.

Mayor Spencer added that once the property is purchased it will be donated to the Food Bank for construction of their new facility. The facility will also have space for the Family Center and Veterans Commission.

Councilmember Tageant commented it is great to find a home for the Food Bank and for Veterans to receive services, and said he fully supports this proposal. Councilmember Hilt agreed, and said this action allows the City to provide social services.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember McDaniel, to approve the Real Estate Purchase and Sale Agreement with Tim Kaintz with the change in the closing date and the correction to paragraph 12.12. On vote the motion carried (7-0-0-0).

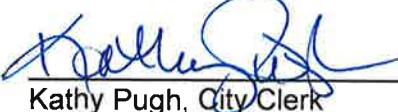
**Executive Session:** At 7:22 p.m. Mayor Spencer announced an executive session to last 15 minutes to discuss Collective Bargaining and Real Property Acquisition, with no action to follow.

At 7:37 p.m. the regular meeting of the City Council reconvened.

**Adjourn:**

Moved by Councilmember Tageant, seconded by Councilmember Welch, to adjourn the meeting at 7:37 p.m. On vote the motion carried (7-0-0-0).

  
John Spencer, Mayor

  
Kathy Pugh, City Clerk