

**CITY OF LAKE STEVENS**  
**CITY COUNCIL SPECIAL MEETING MINUTES**  
Tuesday, May 21, 2019  
Lake Stevens Fire District Station 82 Conference Room  
9811 Chapel Hill Road, Lake Stevens

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

ELECTED OFFICIALS PRESENT: Councilmembers Gary Petershagen, Kim Daughtry, Kurt Hilt, Todd Welch, Brett Gailey and Marcus Tageant (7:03 p.m.)

ELECTED OFFICIALS ABSENT: Councilmembers Rauchel McDaniel

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Police Commander Ron Brooks, Human Resources Director Teri Smith, Human Resources Specialist/Executive Assistant Julie Good, City Clerk Kathy Pugh

OTHERS:

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

**Roll Call:** Moved by Councilmember Welch, seconded by Councilmember Hilt, to excuse Councilmembers Tageant and McDaniel. On vote the motion carried (5-0-0-2).

**Approval of Agenda:** Councilmember Petershagen requested that Consent Agenda Item (B) Interlocal Agreement with Marysville re Soper Hill and SR 9 be moved to Discussion Items.

Councilmember Tageant arrived at 7:03 p.m.

Councilmember Petershagen said there will be executive session for real property acquisition with action to follow and pending litigation with no action to follow.

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

**Guest Business:** Doug Levy, Outcomes by Levy, provided an update on the 2019 Legislative actions, and how they benefit or impact Lake Stevens. He also commented on an upcoming ballot issue regarding the motor vehicle excise tax and said he will be working with the Mayor and City Administrator to begin fleshing out 2020 legislative priorities. Mr. Levy then responded to Councilmember Welch's question regarding return of the revenue stream for Basic Law Enforcement Academy.

**Citizen Comments:** None.

**Council Business:**

- Councilmember Petershagen: Michael's grand opening, Sewer Utility Committee.
- Councilmember Daughtry: Michael's and Blues Yogurt grand openings.
- Councilmember Tageant: Sewer Utility Committee, Michael's grand opening.
- Councilmember Welch: Michael's grand and Blues Yogurt grand openings, upcoming Alliance for Affordable Housing meeting.
- Councilmember Gailey: Michael's grand opening.

**Mayor's Business:** Sno Isle Library District toured police station and it went well. WSDOT ground breaking for SR 9 project, which is a righthand turn lane from Market onto southbound SR 9. East County Mayors meeting.

**City Department Report:**

- City Administrator Gene Brazel: Pavilion is out to bid.
- Community Development Director Russ Wright: Request for Qualifications for Trail Master Plan resulted in five proposals that are being evaluated; Permit update, Everett Clinic expansion at Soper Hill; formal applications from Costco received.
- Public Works Director Eric Durpos: North Cove Park update.
- Human Resource Director Teri Smith: Snohomish County has the second lowest unemployment rate in the state; this is good but limits the applicant pool so staff will be utilizing a service, Criteria Corporation, to delve deeper into the applicant pool.

**Consent Agenda:**

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve the consent agenda as amended: (A) 2019 Vouchers [Electronic Funds Transfers (ACH) of \$292,360.18, Claims Check Nos. 47832-47888 totaling \$202,547.49, Void Check No. 47097 totaling (\$350.00), Total Vouchers Approved: \$494,557.67], (B) [Removed], and (C) Interlocal Agreement with Snohomish County re Building/Construction/Fire Plan Review and Code Inspection Services. On vote the motion carried (6-0-0-1).

**Public Hearing:** None.

**Action Items:** None.

**Discussion Items:**

**Interlocal Agreement with Marysville re Trails:** Director Wright said the cities of Lake Stevens and Marysville have been coordinating on planning and development in areas sharing a common city boundary line. Both cities share a boundary line along the Bonneville powerline easement, which is deemed an excellent area to develop a north-south recreational trail network that would connect at Soper Hill. He noted that Marysville has agreed to build the first trail head with parking and restrooms at the connection point on Soper Hill.

Responding to Councilmember Daughtry's question, Director Wright said currently this ILA and the one regarding the Soper Hill/SR 9 intersection are linked, but that they could probably be separated.

Responding to Councilmember Petershagen's questions, Administrator Brazel said there are two separate agreements, but they are linked, and Marysville will handle them as linked. In the road ILA there is a section that speaks to the trails. Councilmember Petershagen confirmed the ILAs could be separated and expressed concern about the requirement to construct a trail to 20<sup>th</sup> Street SE; he wondered what ensures this will happen by both parties.

Mayor Spencer responded this ILA is a plan that will eventually connect the two trail ends to the Centennial Trail. The agreement is the commitment between the two cities to build the trail. Each city is responsible for building its own portion of the trail and they will eventually meet at Soper Hill. He added this ILA does not make the Soper Hill road ILA any better or worse.

Discussion ensued and there was agreement that the two ILAs are two separate issues and should not be contingent on each other. There was direction to staff to tighten up the ILA on trails and bring it forward to the next meeting.

**ILA with Marysville re Soper Hill Road:** Mayor Spencer reviewed the background on this ILA and Marysville's initial proposal, and the City's concerns with the ILA as proposed. Mayor Spencer recommended moving forward with this agreement, but recognized Councilmember Petershagen's request to add more definition to the agreement and said this can be done and the ILA can be brought forward for consideration in the future.

Councilmember Tageant commented on the amount of housing being built in Marysville and said the impacts of that growth on Lake Stevens are not presently known.

Responding to Councilmember Daughtry's question regarding the development on the east side of Soper Hill, Director Wright said the new road will connect to the elementary school.

Councilmember Welch asked if Lake Stevens will receive any of the traffic impact fees from Marysville as new Marysville residents will be utilizing Soper Hill Roads and other city roads and businesses.

Director Wright commented there is language that requires Marysville to complete intersection improvements at 83<sup>rd</sup> if the level of service falls to a certain level, even if new development does not come in.

Councilmember Petershagen agreed with the Mayor's comments regarding reciprocating impact fees, but he does believe the greater impacts will fall on Lake Stevens. He reviewed what the City will receive from this ILA and wondered where the equity is. He believes the impacts on Lake Stevens will be huge, and encouraged the City continue to work on this ILA until everyone is comfortable with it.

Mayor Spencer shared his perspective, saying that Marysville believes they are mitigating and they are spending \$5 million dollars for the intersection improvement; he added Marysville is willing to build the park trailhead. He suggested the city does have leverage in that it reviews the EIS's for the housing development that is occurring in Marysville.

There was Council direction to continue working on the ILA and to bring it to a workshop for further discussion.

**Proposed Critical Areas Amendments:** Community Development Director Wright said that under the Growth Management Act cities are required to update their critical areas ordinances and reviewed the history of the proposed critical areas code amendments. He commented that Council previously requested staff research the feasibility of allowing additional stormwater features in critical area buffers. He then reviewed the proposed requirements for setbacks from the NGPA buffers and shared that other jurisdictions are all over the board on their requirements. Director Wright said this is being brought forward because Department of Ecology updated their wetland rating system manual. He also commented on how the Critical Areas Ordinance affects the buildable lands. Director Wright reviewed the goals and strategies in the draft Critical Areas ordinance and said the new regulations from the state do not affect the city's ability to meet its growth targets for 2035. Director Wright reminded that not moving forward with a Critical Areas ordinance affects the City's ability to be competitive in grant applications. Director Wright then responded to Councilmembers' question.

There was consensus to bring this forward for additional discussion on either the June 4<sup>th</sup> or June 18<sup>th</sup> workshop meeting.

**Executive Session:** At 8:24 p.m. Mayor Spencer announced an executive session lasting 10 minutes to discuss pending litigation with no action to follow and real property acquisition, with possible action to follow, and noted for the record that the City Attorney will be participating by telephone.

The regular meeting of the City Council reconvened at 8:34 p.m.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Welch, to approve the acquisition of the Butler property for a price of \$520,000 and including a leaseback provision for the Butlers to remain in the house until May 2021 at approximately \$600 per month. On vote the motion carried (6-0-0-1).

**Adjourn:**

Moved by Councilmember Daughtry, seconded by Councilmember Welch, to adjourn the meeting at 8:36 p.m. On vote the motion carried (6-0-0-1).

  
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John Spencer, Mayor  
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Kathy Pugh, City Clerk