



## ***City of Lake Stevens Vision Statement***

*By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.*

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### **CITY COUNCIL SPECIAL MEETING AGENDA BY REMOTE ACCESS ONLY VIA ZOOM Lake Stevens, Washington**

**Tuesday, December 1, 2020 – 7:00 p.m.**

**Join Zoom Meeting:  
<https://us02web.zoom.us/j/89139853285>  
or call in at (253) 215-8782  
Meeting ID: 891 3985 3285**

#### **Workshop:**

- Ordinance re Salary Commission Anya
- Mayor Benefit Package Anya
- Code Amendments re Permissible Use Table David/Jill N.
- Budget Amendment Barb

***THE PUBLIC IS INVITED TO ATTEND BUT WILL NOT BE ALLOWED TO COMMENT***

#### ***Special Needs***

*The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Human Resources, City of Lake Stevens ADA Coordinator, (425) 622-9400, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.*

***NOTICE: All proceedings of this meeting are audio recorded, except Executive Sessions.***



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda** 12/1/2020  
**Date:** \_\_\_\_\_

**Subject:** Discussion on Salary Commission

<b>Contact</b>	Anya Warrington/Human Resources	<b>Budget</b>	N/A
<b>Person/Department:</b>	_____	<b>Impact:</b>	_____

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** N/A

**SUMMARY/BACKGROUND:**

During the city council meeting on November 17, 2020, Councilmembers requested a draft ordinance and discussion on making changes to the Salary Commission's duties. Proposed changes include removing the salary commission's duty to establish the Mayor's salary. In order to make this change, Lake Stevens Municipal Codes 2.12.020 and 2.51 would need to be amended by ordinance 1107.

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**APPLICABLE CITY POLICIES:** N/A

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**BUDGET IMPACT:** N/A

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**ATTACHMENTS:**

- Exhibit A: Ordinance 1107

## Exhibit A

### CITY OF LAKE STEVENS LAKE STEVENS, WASHINGTON

#### ORDINANCE NO. 1107

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON  
CONCERNING THE COMPENSATION OF THE MAYOR; AMENDING  
LAKE STEVENS MUNICIPAL CODE (LSMC) CHAPTER 2.12 AND  
CHAPTER 2.51 TO PROVIDE THAT THE MAYOR'S SALARY BE FIXED  
BY ORDINANCE OF THE CITY COUNCIL; PROVIDING THE MAYOR'S  
CURRENT SALARY REMAIN IN EFFECT UNTIL REVISED BY  
ORDINANCE OF THE CITY COUNCIL; PROVIDING FOR  
SEVERABILITY, SUMMARY PUBLICATION BY ORDINANCE TITLE  
ONLY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Lake Stevens is a non-charter optional municipal code city operating under the Mayor – council plan of government in Chapter 35A.12 RCW; and

WHEREAS, the City has grown in area and population served increasing the demands on the City Administration and Mayor for the effective performance of the duties of the Mayor in the best interest of the City and citizens served; and

WHEREAS, the City Council has determined by previous amendment of Chapter 2.12 LSMC that the position of Mayor be a full-time position; and

WHEREAS, the City Council has determined that it is in a better position to determine the appropriate compensation of the Mayor rather than the appointed Salary Commission under Chapter 2.51 LSMC which meets on a limited basis and has no direct oversight over the contributions of time and effort of the sitting Mayor and the value of the Mayor's contributions to the successful administration of the City;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF LAKE STEVENS, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

**Section 1.** Lake Stevens Municipal Code Chapter 2.12 "MAYOR" be amended by the amendment of Section 2.12.020 to read as follows (additions shown in underline, deletions by strike through):

#### **2.12.020 Compensation.**

The Mayor's salary shall be established fixed by ordinance of the Salary Commission pursuant to Chapter 2.51 RCW City Council as provided in RCW 35A.12.070 in consideration of the mayor's full time duties and responsibilities in the position and may be revised from time to time by ordinance. If the mayor does not cast a tie-breaking vote relating to such ordinance, the mayor's salary may be

increased during their term of office. Any decrease in salary shall become effective as to an incumbent mayor at the commencement of their subsequent term of office.

**Section 2.** The current salary of the incumbent mayor as established by the salary commission shall remain in effect until revised by ordinance of the City Council pursuant to Section 1. above.

**Section 3.** Lake Stevens Municipal Code Chapter 2.51 “SALARY COMMISSION be amended to read as follows (additions shown in underline, deletions by strike through):

## **Chapter 2.51 SALARY COMMISSION**

Sections:

2.51.010 Purpose

2.51.020 Created - Membership, Appointment, Compensation, Term

2.51.030 Vacancies

2.51.040 Removal

2.51.050 Duties

2.51.060 Referendum

2.51.070 Meetings to Be Open

### **2.51.010 Purpose.**

(a) It is the policy of the City of Lake Stevens to base salaries of elected officials the members of the Lake Stevens City Council on realistic standards so that officials Council Members may be paid according to the duties of their offices, so that citizens of the highest quality may be attracted to public service.

### **2.51.020 Created - Membership, Appointment, Compensation, Term.**

(a) The Lake Stevens Citizens’ Commission on Salaries of Elected Officials, also to be known as the Salary Commission, is hereby created and shall consist of five members, to be appointed by the Mayor with the approval of the City Council.

- (b) A member of the Commission shall serve for a three-year term without compensation and shall be a US citizen and a resident of the City for at least one year preceding the appointment. The initial members shall be appointed for staggered terms of one, two or three years.
- (c) No member of the Commission shall be appointed to more than two terms.
- (d) A member of the Commission shall not be an officer, official, or employee of the City or an immediate family member of an officer, official, or employee of the City. For purposes of this section, “immediate family member” means the parents, spouse, siblings, children, or dependent relatives of an officer, official, or employee of the City, whether or not living in the household of the officer, official, or employee.

#### **2.51.030 Vacancies.**

In the event of a vacancy in office of commissioner, the Mayor shall appoint, subject to approval of the City Council, a person to serve the unexpired portion of the term of the expired position.

#### **2.51.040 Removal.**

A member of the Commission may be removed from office by the Mayor with the approval of the City Council only for cause of incapacity, incompetence, neglect of duty, malfeasance in office, a crime involving moral turpitude, or for a disqualifying change of eligibility, or for other good cause. The unexcused absence of any member of the Commission from two consecutive meetings of the Commission shall constitute relinquishment of that person’s membership on the Commission. Notification of such dismissal shall be in writing stating the exact cause for dismissal; however, all dismissals shall be final on approval of the Council.

#### **2.51.050 Duties.**

- (a) The Commission shall meet every year between January 1st and November 1st commencing the year 2017. The members of the Commission shall elect a chair from among the members. The Commission shall set a schedule of salaries by an affirmative vote of the majority of the Commission. Three members present at any meeting shall constitute a quorum.
- (b) The Commission shall study the relationship of salaries to the duties of the ~~elected officials~~ Lake Stevens City Council Members and shall set the salaries for ~~the respective~~ ~~their~~ position. If after such review the Commission determines that the salary paid to ~~an~~ ~~elected City official~~ Council Members should be increased or decreased, the Commission shall hold a public hearing within 30 days before filing the Commission’s written salary schedule with the City Clerk.

(c) Any increase or decrease in salary established by the Commission shall become effective and incorporated into the City budget 30 days after the filing thereof, following Commission review without further action of the City Council or the Commission except as provided in Section 2.51.060.

(d) Salary increases established by the Commission shall be effective as to all City Council Members ~~elected officials~~, regardless of their terms of office.

(e) Salary decreases established by the Commission shall become effective as to incumbent City Council Member ~~elected officials~~ at the commencement of their next subsequent term of office.

(f) Staff support shall be provided to the Commission as needed by the Commission.  
(Ord. 989, Sec. 1, 2017; Ord. 914, Sec. 1, 2014)

### **2.51.060 Referendum.**

Any salary increase or decrease established by the Commission pursuant to this chapter shall be subject to referendum petition by the voters of the City, in the same manner as a City ordinance, upon filing of a referendum petition with the City Clerk within 30 days after filing of a salary schedule by the Commission. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by a vote of the people. Referendum measures under this section shall be submitted to the voters of the City at the next following general or municipal election occurring 30 days or more after the petition is filed, and shall otherwise be governed by the provisions of the State Constitution and the laws generally applicable to referendum measures. By adoption of this provision it shall not be the intent to adopt the powers of referendum generally.

### **2.51.070 Meetings to Be Open.**

All meetings, actions, hearings and business of the Salary Commission shall be undertaken in compliance with the Open Public Meetings Act, Chapter 42.30 RCW, as if the Commission was a “governing body” as defined in that Act; provided, that notice of all meetings of the Commission shall be issued pursuant to RCW 42.30.080.

**Section 4. Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 5. Effective Date and Publication.** A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force and effect five days after its publication in the City’s official newspaper.

PASSED by the City Council of the City of Lake Stevens this \_\_\_\_ day of December 2020.

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Brett Gailey, Mayor

ATTEST/AUTHENTICATION:

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Kelly Chelin, City Clerk

APPROVED AS TO FORM:

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Greg Rubstello, City Attorney

First and Final Reading:

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

DRAFT



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda** 12/1/2020  
**Date:** \_\_\_\_\_

**Subject:** Discussion on Full-time Mayor Salary & Benefits

<b>Contact Person/Department:</b> _____	Anya Warrington/Human Resources	<b>Budget Impact:</b> _____	See Below
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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL: N/A**

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**SUMMARY/BACKGROUND:**

During the City Council meeting on August 25, 2020, ordinance 1093 was approved amending chapter 2.12 of the Lake Stevens Municipal Code by adding new section 2.12.015 establishing the Mayor's position as full time. The salary commission established the Mayor's base salary at \$80,000 effective November 19, 2020. It is at the Council's discretion to authorize a benefit package for the Mayor. The following package is what staff recommend based on what current city employees are receiving and what full-time Mayors at comparable cities are receiving:

- AWC Trust Benefits (includes medical, dental, vision, EAP) or ability to opt out
- New York Life, AD&D and Long-Term Disability Insurance
- Deferred Compensation Match of up to 5%

If Council adopts Ordinance 1107 and wishes to amend the Mayor's salary, staff would recommend the average of comparable cities listed on Exhibit B, which is \$118,636 annually.

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**APPLICABLE CITY POLICIES: N/A**

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**BUDGET IMPACT:**

Budget impact is dependent upon the Council's desired benefit package. At the current Mayor's full-time salary with a standard benefits package would cost approximately \$112,000 (\$80,000 x 40% benefits). Adding a deferred compensation matching of up to 5% would cost up to \$4,000 per year, totaling the cost to approximately \$116,000.

If Council chose to amend the Mayor's salary to the comparable average of \$118,636, including benefits would cost approximately \$166,091. Then adding \$4,000 for deferred compensation matching would be a total of \$170,091.

See Exhibit B for other salary & benefit package scenarios.

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**ATTACHMENTS:**

- Exhibit A: 2021 AWC Employee Benefits Cost
- Exhibit B: Mayor Salary and Benefit Comparables

## Exhibit A

### 2021 Monthly Health Insurance Rates

Note: Rates may be adjusted a few cents for rounding purposes. Medical insurance rates will decrease if the city and employees earn the AWC WellCity Award.

#### \*\*Regence - HealthFirst 250

Status	Full Premium	Employee Cost	Dependent Cost	Employee's Share of Premium	City's Share of Premium
Employee	\$ 788.74	\$ 788.74	\$ -	\$ -	\$ 788.74
Employee+Spouse	\$ 1,584.08	\$ 788.74	\$ 795.34	\$ 79.53	\$ 1,504.55
Employee+Spouse+1 Dependent	\$ 1,975.86	\$ 788.74	\$ 1,187.12	\$ 118.71	\$ 1,857.15
Employee+Spouse+2 Dependents	\$ 2,299.78	\$ 788.74	\$ 1,511.04	\$ 151.10	\$ 2,148.68
Employee+1	\$ 1,180.54	\$ 788.74	\$ 391.80	\$ 39.18	\$ 1,141.36
Employee+2	\$ 1,504.46	\$ 788.74	\$ 715.72	\$ 71.57	\$ 1,432.89

#### \*\*Regence - High Deductible Health Plan

Status	Full Premium	Employee Cost	Dependent Cost	Employee's Share of Premium	City's Share of Premium
Employee	\$ 548.48	\$ 548.48	\$ -	\$ -	\$ 548.48
Employee+Spouse	\$ 1,103.70	\$ 548.48	\$ 555.22	\$ 55.52	\$ 1,048.18
Employee+Spouse+1 Dependent	\$ 1,382.08	\$ 548.48	\$ 833.60	\$ 83.36	\$ 1,298.72
Employee+Spouse+2 Dependents	\$ 1,610.04	\$ 548.48	\$ 1,061.56	\$ 106.16	\$ 1,503.88
Employee+1	\$ 826.88	\$ 548.48	\$ 278.40	\$ 27.84	\$ 799.04
Employee+2	\$ 1,054.82	\$ 548.48	\$ 506.34	\$ 50.63	\$ 1,004.19

#### \*\*Kaiser Permanente 200

Status	Full Premium	Employee Cost	Dependent Cost	Employee's Share of Premium	City's Share of Premium
Employee	\$ 663.58	\$ 663.58	\$ -	\$ -	\$ 663.58
Employee+Spouse	\$ 1,316.10	\$ 663.58	\$ 652.52	\$ 65.25	\$ 1,250.85
Employee+Spouse+1 Dependent	\$ 1,649.06	\$ 663.58	\$ 985.48	\$ 98.55	\$ 1,550.51
Employee+Spouse+2 Dependents	\$ 1,982.02	\$ 663.58	\$ 1,318.44	\$ 131.84	\$ 1,850.18
Employee+1	\$ 996.54	\$ 663.58	\$ 332.96	\$ 33.30	\$ 963.24
Employee+2	\$ 1,329.50	\$ 663.58	\$ 665.92	\$ 66.59	\$ 1,262.91

#### \*\*Kaiser Permanente High Deductible Health Plan

Status	Full Premium	Employee Cost	Dependent Cost	Employee's Share of Premium	City's Share of Premium
Employee	\$ 552.12	\$ 552.12	\$ -	\$ -	\$ 552.12
Employee+Spouse	\$ 1,093.16	\$ 552.12	\$ 541.04	\$ 54.10	\$ 1,039.06
Employee+Spouse+1 Dependent	\$ 1,369.64	\$ 552.12	\$ 817.52	\$ 81.75	\$ 1,287.89
Employee+Spouse+2 Dependents	\$ 1,646.14	\$ 552.12	\$ 1,094.02	\$ 109.40	\$ 1,536.74
Employee+1	\$ 828.60	\$ 552.12	\$ 276.48	\$ 27.65	\$ 800.95
Employee+2	\$ 1,105.10	\$ 552.12	\$ 552.98	\$ 55.30	\$ 1,049.80

#### Washington Dental Service Plan J & Ortho V

Status	Dental Full Premium	Ortho Full Premium	Employee Cost	Dependent Cost	Employee's Share of Premium	City's Share of Premium
Employee	\$ 56.65	\$ 2.44	\$ 59.09	\$ -	\$ -	\$ 59.09
Employee+1	\$ 107.15	\$ 5.69	\$ 59.09	\$ 53.75	\$ 5.38	\$ 107.47
Employee+2	\$ 167.73	\$ 39.03	\$ 59.09	\$ 147.67	\$ 14.77	\$ 191.99

#### Willamette Dental Service \$10 Co-pay

Status	Full Premium	Employee Cost	Dependent Cost	Employee's Share of Premium	City's Share of Premium
Employee	\$ 71.54	\$ 71.54	\$ -	\$ -	\$ 71.54
Employee+1	\$ 134.04	\$ 71.54	\$ 62.50	\$ 6.25	\$ 127.79
Employee+2	\$ 213.47	\$ 71.54	\$ 141.93	\$ 14.19	\$ 199.28

#### Vision Service Plan \$25 Co-pay

Status	Full Premium	Employee Cost	Dependent Cost	Employee's Share of Premium	City's Share of Premium
Employee	\$ 7.72	\$ 7.72	\$ -	\$ -	\$ 7.72
Employee+1	\$ 15.44	\$ 7.72	\$ 7.72	\$ -	\$ 15.44
Employee+2	\$ 23.16	\$ 7.72	\$ 15.44	\$ -	\$ 23.16

#### Teamsters Dental Plan

Status	Full Premium	Employee's Share of Premium	Total City Cost
Employee and all dependents	\$ 120.50	\$ -	\$ 120.50

#### Teamsters Vision Plan

Status	Full Premium	Employee's Share of Premium	Total City Cost
Employee and all dependents	\$ 17.10	\$ -	\$ 17.10

Dual Medical Insurance Opt-Out

\$394.37

## Exhibit B

Miles from Lake Stevens	County	City	OFM 4/20 Est. Population	2019 AV	AV Per Capita	Sales Tax 2019	ST Per Capita	Form of Government	Average Number of Regular Meetings Per Month	Mayor Monthly Salary	Notes
54.5	Skagit	Anacortes	17,830	3,681,764,163	\$206,493	\$4,941,631	\$277	Mayor-Council	4	\$9,277	Medical, dental, vision, LTD and Life. 120 hr of personal leave.
16.3	Snohomish	Arlington	20,600	2,779,067,708	\$134,906	\$5,882,663	\$286	Mayor-Council	4	\$2,250	Mayor receives add'tl \$100 for local mtgs & \$125 for regional mtgs (35 mtgs/month max). City contributes to retirement.  Note: Maximum salary per month would be \$6625 per month
21.8	Snohomish	Lynnwood	40,690	7,015,500,457	\$172,413	\$23,531,671	\$578	Mayor-Council	2	\$9,356	
8.0	Snohomish	Marysville	69,180	7,986,000,980	\$115,438	\$11,953,912	\$173	Mayor-Council	3	\$11,904	Medical, dental, vision, phone stipend of \$55 per month, car allowance of \$450 per month
35.8	Skagit	Mount Vernon	36,050	3,511,928,547	\$97,418	\$7,757,581	\$215	Mayor-Council	4	\$9,008	PERS, Medical, dental, vision, life

FT Average w/out Arlington

FT Average w/Arlington

\$9,886

\$9,234

W/40% Benefits

Annual Low \$108,096.96 \$151,335.74

Annual Average \$118,636.32 \$166,090.85

Annual High \$142,848.00 \$199,987.20

Snohomish	Lake Stevens	34,150	4,335,798,023	\$126,963	4,466,204	\$131	Mayor-Council	4	\$2,234	Council receives \$80 per mtg (max 4)
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50% -	17,075	2,167,899,012	\$63,482	\$2,233,102	\$65
50% +	51,225	6,503,697,035	\$190,445	\$6,699,306	\$262



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** Dec. 1, 2020

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**Subject:** Permissible Use Chapter Revisions Intro

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<b>Contact</b>	David Levitan, Senior Planner	<b>Budget</b>	N/A
<b>Person/Department:</b>	<u>Jill Needham, Assistant Planner</u>	<b>Impact:</b>	<u> </u>

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:**

This is an informational briefing; no Council action requested at this time.

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**SUMMARY/BACKGROUND:**

As commercial land uses continue to expand and the city explores ways to facilitate greater economic development, staff has been considering ways to simplify and improve the permissible use table in [LSMC 14.40](#), which currently includes overly detailed uses and antiquated terminology that has required numerous code interpretations in recent years. Planning Department staff has researched permissible uses in cities of similar size and land use patterns and begun developing a framework for an updated use table and related LSMC chapters, including subarea regulations and infill housing standards.

Staff briefed the Planning Commission on [October 21](#) (page 4) and [November 18](#) (page 281) and will be bringing back an early draft of the proposed use table amendments for them to review in January 2021. Land Use Code amendments are a Type VI land use application, with the Planning Commission making a recommendation to the City Council. The overall process is expected to take approximately 5-6 months, with potential amendments coming before the Planning Commission in February or March 2021 before the City Council holds a public hearing in March or April.

At the November 18 Planning Commission meeting, staff recommended breaking permissible uses out into three or four tables, such as residential, commercial (office, retail, manufacturing, etc.), and special uses (parks, schools, utilities, etc.). Staff also proposed arranging permissible uses by North American Industrial Classification System (NAICS) codes, which would better align the use categories with the city's business license program, which utilizes NAICS codes.

In addition to the work on Table 14.40-I and the remainder of Chapter 14.40, the project will also need to explore and consider the following issues:

- Which uses should continue to require a Conditional Use Permit (CUP) and Administrative Conditional Use Permit (ACUP) - which are Type II/III land use applications and include a list of subjective decision criteria – and which uses might instead be outright permitted and subject to clear and objective development and performance standards.
- How the use table interacts with the principal and secondary uses outlined in the Subarea code ([LSMC 14.38](#)), and how to better connect the two chapters, including for commercial areas outside of subarea boundaries. Most the city's commercial zoning districts (including all mixed-use

districts) fall within subarea boundaries, so much of the detail in the use tables is already superseded by the subarea regulations.

- The process and level of discretion for evaluating similar uses not clearly identified in the use table. The current structure of the code – with code interpretations listed in the Land Use Actions and Permits chapter, and not at the beginning of the Permissible Uses chapter - is based on the assumption that uses are not specifically listed in the table require a director's determination through a formal land use process.
- How the use table can better interact with and reference the Innovative Housing and Infill Code ([LSMC 14.46](#)). Property owners and developers are often surprised to learn that triplexes, fourplexes, and other middle housing options are permitted in several of the city's residential zoning districts, as the permissible uses table does not make that clear.
- What is the desired/appropriate level of public outreach for this project, especially with the restrictions in place due to Covid-19? Planning Commissioners felt that the majority of public outreach should be to the development and business community. Staff is planning to develop a webpage for the project and provide updates via the main city website and social media and would welcome additional feedback from council members.

As staff continues its work, it anticipates holding two additional work sessions with the Planning Commission and 1 additional work session with City Council prior to holding public hearings.

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**APPLICABLE CITY POLICIES:** N/A

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**BUDGET IMPACT:** N/A – Only impact is staff time and noticing

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**ATTACHMENTS:** N/A