

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

June 14, 2022, at 6:00 p.m.

Hybrid Meeting - By Remote Participation via Zoom & in Person at The Mill Building

CALL TO ORDER: 6:00 p.m. by Council President Ewing

ELECTED OFFICIALS PRESENT: Mayor Brett Gailey, Councilmembers Kim Daughtry, Gary Petershagen, Shawn Frederick, Mary Dickinson, Marcus Tageant, Councilmember Anji Jorstad and Steve Ewing

Call to Order

The Mayor called the meeting to order at 6:00 p.m.

Pledge of Allegiance

The Mayor led the Pledge of Allegiance.

Roll Call

All Councilmembers were present.

Approval of Agenda

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember Dickinson, to add the Juneteenth Proclamation to the agenda. The motion passed 5-2-0-0 with Councilmember Daughtry and Councilmember Petershagen voting no.

MOTION. Councilmember Petershagen made a motion, seconded by Councilmember Dickinson, to approve the agenda as amended. The motion passed 7-0-0-0.

Guest Business

Introduce Natasha Houghtaling, Public Works Office Assistant

Recognize Erik Mangold - Promotion to Capital Projects Manager

Citizen Comments

Jerry Stumbaugh, Senior Center

Mr. Stumbaugh thanked staff for their quick effort to help with permits through Department of Licensing for the Senior Center.

Council Business

Proclamation to Lower Flag for Don Ren for June 18, 2022 read by Councilmember Frederick

Pride Proclamation for June 2022 read by Councilmember Jorstad

Juneteenth Proclamation read by Councilmember Dickinson

Councilmember Jorstad reported that she attended the Snohomish Health District Board meeting.

Councilmember Dickinson attended the Senior Center Board meeting and the Health District Board meeting. She also thanked Councilmember Daughtry for this work on Aquafest.

Councilmember Tageant attended the Park Board meeting.

Councilmember Petershagen attended the WSDOT meeting last week regarding the SR9/204 Construction updates.

Councilmember Daughtry reported that Aquafest will be July 29-31, 2022.

Councilmember Ewing read an email into the record that he sent to the Council regarding the selection of the Short-Term Rental subcommittee.

City Department Report

Retail Strategies Report

Addition of NEOGOV Modules (Written Only)

Public Works Department Update

Consent Agenda

MOTION. Councilmember Ewing made a motion, seconded by Councilmember Daughtry, to approve the consent agenda. The motion passed 7-0-0-0.

The consent agenda included the following:

- 2022 Vouchers
- Snohomish Regional Drug Task Force ILA Extension and Allocation Increase
- Compensation Connections Contract for Non-Represented Salary Study

Public Hearing

Lakeview Flats Development Agreement (LUA2022-0036) / Resolution 2022-08

Lakeview Flats, LLC applied for a Development Agreement on March 07, 2022, to construct a 17,128 square foot, three-story mixed-use building at 1800 Main Street on real property owned by the City. The project is within the Downtown Lake Stevens Subarea. Revised application materials were received by the city on April 28, 2022, including a project narrative, a revised site plan, revised SEPA checklist and a revised Planned Action Checklist. The city received a traffic report on May 4, 2022. The building would include three tenant spaces, with proposed restaurant uses, and six residential units. The applicant has applied for separate administrative design review and construction plan applications, pending approval of the development agreement. The proposed development by Lakeview Flats, LLC will require their purchase of real property from the City.

A development agreement is a Type VI permit which requires action from the City Council following a public hearing. Staff, the City Attorney and representatives of Lakeview Flats, LLC have been coordinating the terms of the development agreement and the terms of sale for the project property. Staff briefed City Council at its March 22,

2022, meeting about the scope of the project. The Council held a public hearing for the project on May 24, 2022. Council requested that the option to purchase and a lease agreement for the adjacent property be removed from the development agreement.

The revised development agreement provides a purchase and sale agreement that includes a temporary construction easement and a first right of refusal to purchase the adjacent property with consideration. Approval of the Development Agreement requires approval of the purchase and sale agreements.

City staff provided required notice for the project on May 14, 2022, per Lake Stevens Municipal Code (LSMC) 14.16B.630. The SEPA Official issued a Planned Action Certificate on May 18, 2022, for the development agreement and subsequent project actions. Finding of fact and consistency with Lake Stevens Municipal Code (LSMC) 14.16C.055 Development Agreements / Decision Criteria are provided in Resolution 2022-08.

Mayor Gailey opened the public hearing for comment.

There were no public comments.

Mayor Gailey closed the public hearing for comment.

MOTION. Councilmember Daughtry made a motion, seconded by Councilmember Ewing, to approve the Lakeview Flats Development Agreement (LUA2022-0036) / Resolution 2022-08. The motion passed 7-0-0-0.

Action Items

Resolution No. 2022-09 - 29th St NE ROW Vacation

Senior Planner Place explained that the Soper Hill Commercial development project at the SR 9 and Soper Hill Road intersection consists of eight commercial lots, a new roundabout, and a through road connection from SR 9 to Lake Drive via 29th St NE. Through the development review process of the commercial site, it was identified that a through connection from SR 9 to 29th St NE would help serve Stevens Creek Elementary School and provide a vehicular connection to Lake Drive.

As a condition of approval of the land use permits for the project, the developer agreed to construct off-site improvements including the connection of 29th St NE in exchange for traffic impact fee credits. It was also identified during the review process that a right-of-way (ROW) dedication of the new portion of 29th St NE would be required and that a small triangle of existing city right-of-way on 29th St NE is no longer needed based on the roadway connection design and is best absorbed into the Lake Stevens School District property.

The city, the Lake Stevens School District, and the developer desire to jointly work together to finalize this road connection, where the ROW dedication responsibility lies

with the school district, the ROW vacation responsibility lies with the city, and the street construction responsibility lies with the developer. The Lake Stevens School District is the owner of Parcel Number 29050100401000 and has recently dedicated a portion of their property via a separate executed deed and dedication document to the city of Lake Stevens to create the new connection between Soper Hill Road and 29th St NE.

The next step in the process is for a ROW vacation of 215 square feet along 29th St NE and to incorporate that portion into the Lake Steven School District property. In return for the ROW vacation, the City has received 5,870 square feet of dedicated ROW property in compensation.

The requested ROW vacation section is currently an opened portion of the east side of 29th St NE and is not necessary for future road needs since the existing developed portion and dedicated ROW of 29th St NE will fully encompass the frontage improvements that the ROW needs.

The requested action is a legislative decision subject to a Type V permit with a required public notice, public meeting, and public hearing with City Council. Per LSMC 14.16C.095(a), the City Council may initiate by resolution a right-of-way vacation procedure. Per RCW 35.79, the City Council, by resolution, shall fix a time when the petition will be heard and determined, which time shall not be more than sixty days nor less than twenty days after the date of the passage of such resolution. In order to comply with the above, staff is suggesting that Council set the date of July 12, 2022, for the public hearing so that action is taken before the Council recesses for the summer.

MOTION. Councilmember Tageant made a motion, seconded by Councilmember Daughtry, to approve Resolution No. 2022-09 – 29th St NE ROW Vacation. The motion passed 7-0-0-0.

Information Technology Job Reclassifications and Position Request

Director Stevens explained that in 2022, due to vacancies, there will be no budget increase for 2022. In fact, the IT Department's salary and benefits will end 2022 under budget. The budget impact for 2023 depends on which level in the salary range employees are hired into. Typically, we estimate to hire at mid-range, however, due to recruiting difficulties and the competitive job market, the city needs to be prepared to hire at the high end of the range. The budget impact for this scenario would be as follows:

Reclassification of Support Specialist to Support Analyst = increase of \$14,857 for both salary and benefits (for one year).

Reclassification of the Network Administrator to Systems Engineer = increase of \$17,715 for both salary and benefits (for one year).

Application Analyst New Position Request = \$143,577 for both salary and benefits (for one year).

Re-title GIS/Applications Analyst to GIS Analyst = no \$ change.

Council and staff engaged in a discussion. The Council asked staff to bring back the Application Analyst position request during the next budget discussion when all positions in the city are reviewed.

MOTION. Councilmember Ewing made a motion, seconded by Councilmember Daughtry, to reclassify the Support Specialist and the Network Administrator and wait on the Application Analyst position. The motion passed 7-0-0-0.

Amendment No. 1 - Agreement with WSDOT for Construction of SR 9/SR 204 Welcome Sign Foundation and Wall

Director Halvorson reported that In April, the City executed a contract with WSDOT that committed the City to funding construction of a welcome sign foundation and wall at the SR 9/SR 204 roundabout. The engineer's estimate for the sign foundation and wall was \$18,941. In May, WSDOT opened contractor bids and the unit bid price for the sign foundation and wall is \$36,491, a price increase of \$17,550. This amendment increases the City's commitment to fund construction of the sign foundation and wall to \$36,941, plus 25% contingency. It is in the best interest of the city to approve this amendment funding construction of the sign as part of the larger SR 9/SR 204 intersection project, given there is no guarantee the city would receive a lower bid and mobilization and traffic control costs associated with a different vendor working on site would likely exceed the unit bid price.

Council and staff discussed the amendment.

MOTION. Councilmember Petershagen made a motion, seconded by Councilmember Ewing, to authorize the Mayor to sign Amendment No. 1 - Agreement with WSDOT for Construction of SR 9/SR 204 Welcome Sign Foundation and Wall. The motion passed 6-1-0-0 with Councilmember Jorstad voting no.

Executive Session


The meeting recessed to executive session at 7:20 p.m. to discuss Collective Bargaining for approximately 5 minutes. There will be no action.

Reconvene to Regular Session

The meeting reconvened to regular session at 7:23 p.m.

Adjournment:

MOTION. Councilmember Daughtry made a motion, seconded by Councilmember Jorstad, to adjourn the meeting. The motion passed 7-0-0-0. The meeting adjourned at 7:23 p.m.


Brett Gailey, Mayor
Kelly M. Chelin, City Clerk, Caitlin Weaver, Deputy City Clerk