

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

Monday, May 14, 2012

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

CALL TO ORDER: 7:00 p.m. by Mayor Vern Little

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Neal Dooley, John Spencer, and Marcus Tageant

COUNCILMEMBERS ABSENT:

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Paul McMurray, Planning Director Becky Ableman, Finance Director/Treasurer Barb Lowe, Public Works Director Mick Monken, Human Resource Director Steve Edin, Senior Planner Russell Wright, Police Chief Randy Celori, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Mark Wakefield, John Worley, Jesse Dill, Kim Demary

Guest Business. Mark Wakefield, 121 95th Ave SE, Lake Stevens, commented that during the annexation process they were promised fourteen additional officers, only hired four and heard there may be layoffs. He is concerned about the nature of crimes, staffing level, and believes the Police budget should be 65% of the City budget. He is not opposed to raising taxes for the Police Department and is in the process of analyzing the City budget.

John Worley, 1519 E Lakeshore Drive, commented he has lived there for 13 years, has been helping out people, and letting people park in his yard for Aquafest. Donations go to an orphanage. He has people living in his basements because they have lost their homes and jobs. He did three garage sales last year to help raise funds. Now he cannot provide parking during Aquafest unless he is a part of the event. He is providing a safe environment for families to park. He requested two garage sales per month to help raise funds to donate to those in need.

Jesse Dill, 1415 120th Drive NE, mentioned she met Mr. Worley, provided donations for him and supports what he is doing.

Council will discuss this at the next meeting on May 29.

Consent Agenda. Councilmember Daughtry moved to approve the Consent Agenda (A. Approve May 2012 vouchers [Payroll Direct Deposits 905694-905759 for \$119,887.52; Payroll Checks 33423 for \$2,299.53; Claims 33424, 33426-33524 for \$422,739.75; Electronic Funds Transfers 452-457 for \$137,840.89; Tax Deposit 5.1.12 for \$41,174.91 for total vouchers approved of \$723,942.60]; B. Approve minutes of April 23, 2012 regular Council and special Council/Planning Commission meetings; C. Approve minutes of May 7, 2012 Council workshop; D. Approve contract increase with Rogers Machinery for aerator pump repair; and E. Award

contract to Precision Electric Group for electrical services at City Shop), seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

Relay for Life proclamation. Mayor Little noted the event is this weekend, read the proclamation in full and presented the certificate to Kim Demary.

Resolution 2012-2, Lake Stevens Sewer District Annexation. Senior Planner Wright commented the proposed resolution is for the City to acknowledge and consent to the proposed expansion of the Sewer District area within the City limits through annexation. This allows population in the area that is already in the City limits to be included in the Sewer District area. The Sewer District is the lead agency and will present to the County. The annexation is through the election method.

MOTION: Councilmember Spencer moved to approve Resolution No. 2012-2, Lake Stevens Sewer District Annexation, seconded by Councilmember Holder; motion carried unanimously. (7-0-0-0)

First and final reading of Ordinance 873, Title 9 criminal code amendments. Police Chief Celori reported he worked with the prosecutor's office and city attorney for the past year on this. The amendment adopts state code and amends automatically to conform to the State. The curfew portion of the ordinance is being stricken because it may be unconstitutional.

MOTION: Councilmember Tageant moved to approve first and final reading of Ordinance No. 873 amending portions of Title 9, Criminal Code, seconded by Councilmember Welch; motion carried unanimously. (7-0-0-0)

Subarea plans. Planning Director Ableman commented that at the last meeting, Council was leaning toward Alternative 2 on both subareas. Design guidelines, zoning maps and developments regulations will need to be developed and implemented. Flexibility is being built into the regulations. The next step is the consultants will prepare final EIS, plan itself, regulations, publish EIS, then Public Hearing before the Planning Commission. Air quality analysis is required on 20th Street only because of work on the state route.

MOTION: Councilmember Daughtry moved to select the second Alternate for 20th Street and Lake Stevens Center, seconded by Councilmember Quigley, motion carried unanimously. (7-0-0-0)

Approve 2012 Aquafest Requests: event permit fee waiver and serve beer and wine in the VIP booth. Planning Director Ableman reported the City could waive \$15 of the \$100, but it's up to the Fire District to waive the \$85.

Councilmember Quigley does not see the value to the VIP tent and is not a message she wants to send to the community.

Councilmember Dooley responded it is a reward for the sponsors.

MOTION: Councilmember Quigley moved to approve the Aquafest request to waive event permit fee, fireworks display fee, and Community Center rental, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

Staff was directed to invite Aquafest to the next meeting to discuss the VIP Tent.

Award contract for the pavement marking for the North Davies roundabout. Public Work Director/Engineer Monken reported they solicited for nine bids and received two bids. The work is to be completed by June 15. The intent is to keep the street open at all times. The action is approval of contract for about \$10,600 and authorize contingency of \$3,000 for possible grinding or touchup.

MOTION: Councilmember Quigley moved to approve award of the North Davies Mini-roundabout – pavement marking project to Apply-A-Line for an amount of \$10,527.30 and authorize a contingency amount of \$3,000, seconded by Councilmember Spencer; motion carried unanimously. (7-0-0-0)

First quarter financials. Finance Director/Treasurer Lowe noted the summary of financial forecast is out to 2017, which ends up below our 10% reserve policy. Ms. Lowe reviewed the budget amendments that will occur in the future and revenue and expenditures for the General, Street, and Surface/Storm Water Funds.

Draft Medical Cannabis Collective Gardens regulations. Senior Planner Wright reported the moratoriums were enacted to see how the legislature would clarify the issue. Council has three options: 1) take no action which a lot of cities are doing because of inconsistencies between federal and state law; 2) adopt development regulations which most cities are doing by applying zoning controls to direct the development and location of collective gardens; and 3) prohibit outright.

City Attorney Paul McMurray noted that a number of jurisdictions are extending the moratorium for an additional 6 months. There is no statutory limitation on the number of moratoriums.

Councilmember Quigley commented that one more moratorium would get us through the election since there may be an initiative on the ballot. It was the consensus of Council to extend the moratorium.

Councilmember Spencer noted that the justification for extending the moratorium is on the basis there is an initiative to the public on recreational use of marijuana and question on Council's mind on how that may change the statutory framework and regulations and choose to wait for the outcome of the election and other regulations that might come forward.

Council Person's Business. Councilmembers reported on the following meetings: Tageant – Sewer Subcommittee today; Holder – Sewer Subcommittee; Dooley – Arts Commission, no Farmer's Market this year and Music on the Lake will happen; and Daughtry – SCCIT, Community Transit, and Relay for Life.

Mayor's Business. Mayor Little reported he attended the Sewer Subcommittee and Economic Development Council and Cities/Counties dinner is this week.

Staff Reports. City Administrator Berg – met with Arts Commission Chair Reimer – will work with them on Farmer's Market for next year, Senior Center Board meeting last week; Public Works Director/Engineer Monken – AquaTechnex coming out next week on milfoil, weir is not in place yet because of flood level, and heavy collection of algae blooms on the Lake; Police

Chief Celori - met with County Executive Reardon on the sales tax that is being considered; Human Resource Director Edin – attended AWC meeting, recruiting Seasonal Workers and Public Works/Planning Coordinator, and received Well City Award which reduces the City's insurance costs.

Executive Session. Mayor Little called for an executive session at 8:28 p.m. for potential litigation for 10 minutes with no action to follow. The executive session began at 8:33 p.m. and ended at 8:43 p.m.

Adjourn. Councilmember Daughtry moved to adjourn at 8:43 p.m., seconded by Councilmember Dooley; motion carried unanimously. (7-0-0-0)



Vern Little, Mayor



Norma J. Scott, City Clerk/Admin. Asst.