

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

Tuesday, August 23, 2016

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

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

ELECTED OFFICIALS PRESENT: Mayor John Spencer, Councilmembers Kim Daughtry, Sam Low, Kurt Hilt, Todd Welch, Rauchel McDaniel, Kathy Holder

ELECTED OFFICIALS ABSENT: Marcus Tageant

STAFF MEMBERS PRESENT: Interim City Administrator Mary Swenson, Finance Director/City Clerk Barb Stevens, Community Development Director Russ Wright, Senior Planner Stacie Pratschner, Public Works Director Mick Monken, Civil Engineer Adam Emerson, Interim Police Chief Ralph Krusey, Police Sgt. Craig Valvick, Human Resources Director Steve Edin, Economic Development Coordinator Jeanie Ashe, Deputy City Clerk Kathy Pugh and City Attorney Grant Weed

OTHERS:

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**Pledge of Allegiance:** Council President Low introduced Interim Police Chief Ralph Krusey, who led the Pledge of Allegiance.

**Roll Call:** Moved by Councilmember Hilt, second by Councilmember Daughtry to excuse Councilmember Tageant from the meeting. On vote the motion carried (6-0-0-1).

**Approval of Agenda:** Moved by Councilmember Daughtry, seconded by Councilmember Holder to approve the agenda as presented. On vote the motion carried (6-0-0-1).

**Guest Business.** None.

**Council Business:**

- Councilmember Daughtry: Downtown Executive Steering Committee-Downtown Subarea Plan meetings, Cavelero Skate Park Community Meeting, 9204 Stakeholders' meeting, Senator King transportation visit, Snohomish County Committee for Improved Transportation (SCCIT), Economic Alliance for Snohomish County (EASC) Summer Network Meeting;
- Councilmember Low: Senator King transportation visit, Executive Staff meeting, Planning Commission, Cavelero Skatepark Design Meeting, EASC Summer Network Meeting;
- Councilmember Hilt: Senator King transportation visit, Snohomish Health District;
- Councilmember Welch: Library Board, Arts Commission
- Councilmember McDaniel: Fire Commissioner, Finance Budget Subcommittee and Subarea Executive Steering Committee-Downtown Subarea Plan meetings; and

- Councilmember Holder: Family Center, Downtown Executive Steering Committee-Downtown Subarea Plan meetings, Parks Board-Skate Park meeting.

**Mayor's Business:** Senator King transportation tour of SR9/SR 204 project, Stakeholders meeting with Washington State Department of Transportation (WSDOT) regarding including property owners, affected by intersection, Snohomish Health District, Cavelero Skateboard Park and Family Center.

#### **City Department Report.**

- Public Works Director Monken: Grade Road emergency repair update, WSDOT-US2 Interchange Justification Report consultant selection, Boat launch repair update;
- Community Development Director Wright: Aquafest was a great success, Executive Steering Subcommittee meeting, Subarea Plan Open House on September 7 – Consultants will be here, building permits have leveled off, land use permit applications are steady; new commercial building permits will be coming in the next month, the Planning and Community Development is 100% staffed; Everett Herald article ranking Lake Stevens as fourth best small community in the west and second best small city in Washington, second open house for Cavelero Park on September 12, Comprehensive Plan Update is moving forward, Boat Launch repair timeline following meeting with Department of Fish & Wildlife;
- Interim Police Chief Krusey: The new lateral officers will complete training with their Field Training Officers by the end of the month, the Aquafest bicycle officers were a huge success, National Night Out, Guns & Hoses, the next Community Meeting/Opioid Forum on July 21<sup>st</sup>, next Community Meeting/Opioid Forum is August 25<sup>th</sup> and the third meeting will be September 15<sup>th</sup>, update on meeting with North Cascade Rowing, Lake Stevens Rowing and Lake Stevens Ski Club;
- Human Resources Director Edin: Staffing update, medical insurance update, Police Officer oral board; and
- Finance Director/City Clerk Stevens: Department is fully staffed, the 2017 budget process is underway, FCS will be demonstrating a forecast model.

#### **Consent Agenda.**

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Daughtry, to approve (A) 2016 Vouchers [Payroll Direct Deposits of \$483,668.67, Payroll Check Nos. 40770-40774, 40861-40864, 40936-40939 totaling \$20,075.70; Tax Deposits of \$202,283.23, Electronic Funds Transfers (ACH) of \$221,483.38, Claims Check Nos. 40768-40769, 40775-40860, 40865-40935, 40940-40968 totaling \$875,287.20, Total Vouchers Approved: \$1,802,798.18]; (B) City Council Workshop Meeting Minutes of July 12, 2016; (C) City Council Regular Meeting Minutes of July 12, 2016; (D) Interlocal Agreement with Lake Stevens School District re School Resource Officer; (E) Ordinance No. 968 re Traffic Violations Bureau; (F) Interlocal Agreement with Snohomish County re County Drug & Gang Task Force; (G) Ordinance 967 Amending LSMC 9.16 (Criminal Code); (H) Supplemental Agreement No. 3 with Robinson and Noble, Inc. re Grade Road Emergency Repairs; (I) Professional Services Agreement with CRUX Diving and Salvage, Inc. for Evaluation of Future Removal of Aerator; (J) Professional Services Agreement with Universal Field Services for Hartford Trailhead Right of Way Title Clearing. On vote the motion carried (6-0-0-1).

**Public Hearing:** Deputy City Clerk Kathy Pugh opened the public hearings and read the rules of procedure for the record.

**Public Hearing on Ordinance No. 969 – Administrative Authority:** Community Development Director Wright presented the staff report and said that with Council's approval of this ordinance the Director of Community Development will have greater discretion in decision making for minor alterations to zoning code standards. He reviewed the three circumstances where this would apply, including minor alterations that are very insignificant, deviations as Type I applications with certain criteria to be met, and an administrative variance, again with criteria which must be met. The Planning and Economic Development Subcommittee have reviewed the proposal. Director Wright noted an updated letter of recommendation from the Planning Commission was distributed this evening.

Mayor Spencer invited comments from the audience, and there were none.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Daughtry, to close the public comment portion of the public hearing. On vote the motion carried (6-0-0-1).

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Hilt, to close the public hearing. On vote the motion carried (6-0-0-1).

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember McDaniel, to approve Ordinance No. 969 adopting Administrative Authority provisions. On vote the motion carried (6-0-0-1).

**Public Hearing on Ordinance No. 970 – Single-Family Impact Fee Deferral:** Director Wright presented the staff report and said that this is brought forward in response to the Washington State Legislature's passage in 2015 of legislation providing a limited deferral of impact fees for single-family constructions. The legislation is effective September 1, 2016 and requires that counties, cities and towns collecting impact fees adopt a deferral system for new detached and attached single-family residential construction. Director Wright reviewed how the deferral would apply and what the limitations are. The Planning and Economic Development Subcommittee reviewed this proposal. Director Wright then responded to Councilmembers' questions. Director Wright added that an updated letter of recommendation from the Planning Commission was distributed this evening.

Mayor Spencer invited public comment and there was none.

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Welch, to close the public comment portion of the public hearing. On vote the motion carried (6-0-0-1).

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Welch, to close the public hearing. On vote the motion carried (6-0-0-1).

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Welch, to approve Ordinance No. 970 adopting Single-Family Impact Fee Deferral. On vote the motion carried (6-0-0-1).

**Action Items:**

**Arts Commission Appointment:** Mayor Spencer introduced Linda Ehmen and said that following an interview with Ms. Ehmen it is his recommendation that Ms. Ehmen be appointed to

the Arts Commission to fill the vacant position that expires December 31, 2016. Ms. Ehmen may request to continue her appointment for a second term by submitting a letter of interest to the Mayor in November.

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Holder, to approve the appointment of Linda Ehmen to the vacant Arts Commission position for the term expiring December 31, 2016. On vote the motion carried (6-0-0-1).

**Ordinance No. 955 re Traffic Mitigation Revisions:** Director Wright presented the staff report and said that adoption of Ordinance No. 955 will provide for a revised traffic fee adjustment and repeal Resolution 2014-13. Adoption of this ordinance will allow incentives to stimulate job creation and retail growth by allowing adjustments to the City's traffic impact fees to implement the City's growth strategy. Director Wright reviewed the options that Council must choose between to finalize the ordinance including: (1) determining whether to use a two-tiered approach that would provide for large businesses to reach an \$80,000 revenue goal and mid-size/small business to reach a \$40,000 goal to achieve the adjustment, or (2) using a single tier approach for all businesses with a single revenue goal of \$40,000 to achieve the adjustment.

Also, Council must determine if they want the time measurement for the adjustment to be the best three consecutive years of five years from the issuance of the certificate of occupancy, or if they want to utilize an approach of averaging the best 36 months out of 60 months. Director Wright then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Welch, to approve Ordinance No. 955 that will reflect that an applicant can, based upon actual performance, receive a higher level of mitigation adjustment from mid-level to highest level, and also that will include certification from local sales tax revenue, and would provide for a tiered approach using the best 36 consecutive months out of 60 months.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Hilt, to amend the main motion to the tiered approach using the best 36 months out of 60. On vote the motion failed (0-6-0-1).

**VOTE:** On vote the main motion passed (6-0-0-1).

**Visitor Information Center Signage:** Director Wright presented the staff report. Tonight's requested action is to approve the design and budget of the proposed Visitor Information Center monument sign. The Planning and Economic Development and Parks subcommittees have reviewed this proposal. Director Wright then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Holder, seconded by Councilmember Hilt, to approve the design and budget of the proposed Visitor Information Center monument sign in the amount of \$29,100, authorize a contingency of \$18,000 for electrical work and fence realignment, and authorize a \$3,000 contingency. On vote the motion carried (6-0-0-1).

**Resolution 2016-14 Setting Rates and Fees:** Director Wright presented the staff report and reviewed the proposed changes to the rates and fees. The primary changes were to implement review fees for the regulations adopted with Ord. 969. He then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Daughtry, to adopt Resolution 2016-14 adjusting fees for City licenses, permits and other services. On vote the motion carried (6-0-0-1).

**Police Chief Contract:** Interim City Administrator Mary Swenson reviewed the process to arrive at the contract, and commented that the new chief is involved with the City's budget process, and also that he has requested letters of introduction from each Police Department employee. Mr. Dyer will begin with the City on September 19<sup>th</sup>. She then read a statement from Mr. Dyer.

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Hilt, to approve contract with John Dyer for police chief. On vote the motion carried (6-0-0-1).

**Executive Session:** Mayor Spencer announced an executive session for 30 minutes beginning at 8:20 p.m. and ending at 8:50 p.m. to discuss a real estate matter with action to follow and to discuss collective bargaining negotiations with no action to follow.

The regular meeting of the City Council reconvened at 8:50 p.m.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve the Interlocal Agreement with Snolsle Libraries for the purposes of development of a master plan for property the City has already acquired and property that Snolsle will acquire, that are adjacent to each other and locally referred to as "Chapel Rock," for the development of a new library and civic facilities. On vote the motion carried (6-0-0-1).

**Study Session:** None.

**Adjourn:**

Moved by Councilmember Low, seconded by Councilmember Daughtry to adjourn the meeting at 8:52 p.m. On vote the motion carried (6-0-0-1).

  
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John Spencer, Mayor

  
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Kathy Pugh, Deputy City Clerk