

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

Tuesday, October 11, 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, Marcus Tageant

ELECTED OFFICIALS ABSENT: None

STAFF MEMBERS PRESENT: Finance Director/City Clerk Barb Stevens, Community Development Director Russ Wright, Public Works Director Mick Monken, Police Chief John Dyer, Human Resources Director Steve Edin, Economic Development Coordinator Jeanie Ashe, City Attorney Grant Weed, Sgt. Ron Brooks, and Officer Wayne Aukerman

OTHERS: None

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**Pledge of Allegiance:** Brett Gailey, a Lake Stevens resident and an officer with the Everett Police Department, led the Pledge of Allegiance.

**Roll Call:** All councilmembers present.

**Approval of Agenda:** Moved by Councilmember Welch, seconded by Councilmember McDaniel, to approve the agenda as presented. On vote the motion carried (7-0-0).

**Employee Anniversaries:** Sgt. Ron Brooks was recognized for 25 years of service to the community and Officer Wayne Aukerman for 15 years of service. The mayor and councilmembers applauded their contributions.

**Guest Business:**

Dennis Brawford, 2031 Vernon Road – 2026 Vernon Rd, Lake Stevens, expressed his concern that the traffic circle at Vernon Road and Lundeen Parkway was a hazard due to speed, speed limit signage, and separation between the sidewalk and the traffic.

**Council Business:**

- Councilmember Daughtry: Public Works Subcommittee, Planning and Economic Development Subcommittee, Community Transit.
- Councilmember Low: Executive staff meeting, Park Subcommittee, Public Works Subcommittee.
- Councilmember Hilt: Community Traffic, Department of Emergency Management Advisory Board, Board of Health
- Councilmember Welch: Snohomish County Cities at Sound Cities Association, Parks Subcommittee, Budget Subcommittee

- Councilmember McDaniel: No report
- Councilmember Holder: Park Subcommittee, Park Board, Planning and Economic Development Subcommittee.
- Councilmember Tageant: Budget Subcommittee

**Mayor's Business:** Requested Public Works Director Monken to present some options to the Public Works Subcommittee to address the concerns expressed by Mr. Brawford regarding the Lundeen/Vernon round-about. Subarea Plan, including meetings with the consultants in Portland. Recommended canceling the regular council meeting of November 22; councilmembers concurred.

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

- Public Works Director Monken: fence at Lundeen Park; WSDOT Open House on 10/19 from 6 to 8 at Hillcrest re SR 9 and 204; boat launch; DEM alert for the area re high winds with heavy rains.
- Community Development Director Wright: Code enforcement team and policy development; Planning Commission meeting; Design Review Board; public scoping meeting on new industrial project in Hartford area; downtown subarea consultants meeting.
- Finance Director/City Clerk Stevenson: budget update; state audit.
- Police Chief Dyer: 30/60/90 day plan to learn about the community; budget; new patrol boat; Citizens Academy; October 19 Community Meeting; Oral Boards for entry level and lateral hiring.
- Human Resources Director Edin: Association of Washington Cities Well City Forum; WCIA audit.
- City Attorney Weed: WCIA insurance pool conference; WSAMA conference; public health conference.

#### **Consent Agenda:**

**MOTION:** Moved by Councilmember Low, seconded by Councilmember Tageant, to approve the Consent Agenda: (A) 2016 Vouchers [Payroll Direct Deposits of \$157,758.16, Payroll Check Nos. 41194-41198 totaling \$12,383.95, Tax Deposits of \$63,967.01, Electronic Funds Transfers (ACH) totaling \$195,816.35, Claims Check Nos. 41193, 41199-41271 totaling \$314,811.90, Void Checks 41194, 41180 totaling (\$6,231.72), Total Vouchers Approved: \$738,505.65], (B) City Council Workshop Minutes of September 27, 2016, (C) City Council Regular Minutes of September 27, 2016, (D) FCS Scope – Task 2 Annexation Study. On vote the motion carried (7-0-0-0).

#### **Public Hearing:**

**Closed Record Hearing Regarding Libengood Rezone Request:** Finance Director/City Clerk Stevens opened the hearing and reviewed the rules of procedure for the record.

Community Development Director Russ Wright noted that tonight's hearing, which followed the Hearing Examiner process which gave opportunity for the public to present testimony and provide written comments for the record, is a closed record hearing. The Hearing Examiner considered all testimony, the Findings of Fact and case law to make his recommendation for approval to council. The 1.17 acres on the Vernon Road was surplus by the Sewer District; the rezone back to a residential zone would allow the potential buyer to obtain a loan to

complete the purchase. The existing structure will be rehabbed as a single family residence with a garage/shop; there is no plan to expand the development of the site. The proposed rezone would not change the current access or the traffic pattern in the area. Councilmember Low stated that while he served on the Sewer Subcommittee last year this property was discussed so he was familiar with the topic but would have no personal gain or loss or conflict of interest by participating in the decision at tonight's meeting.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Daughtry, to close the record of public hearing on the First and Final Reading for Ordinance 974 related to the Libengood Rezone. On vote the motion carried (7-0-0-0).

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve Ordinance 974, part of the Libengood Rezone. On vote the motion carried (7-0-0-0).

### **Action Items:**

#### **Resolution 2016-19 Establishment of the Lake Stevens Library Capital Facility Area:**

Mayor Spencer reported Sno-Isle Library District is moving forward with the construction of a new Lake Stevens library to be located at Market and Chapel Hill Road with construction funded by Sno-Isle via a bond issue to be paid from property tax assessments in a library district to be formed with boundaries co-terminus with the school district's. Resolution 2016-19 approves the creation of the Lake Stevens Library Capital Facility Area and requests the County Council to proceed to place on a ballot to the citizens of the Capital Facility Area two propositions: to create the Capital Facility Area and to pass the property tax levy to pay for the construction of the library. He added details regarding the property and the cooperative effort with Sno-Isle.

**MOTION:** Moved by Councilmember Holder, seconded by Councilmember McDaniel, to approve Resolution 2016-19 requesting the establishment of the Lake Stevens Library Capital Facility Area. On vote the motion carried (7-0-0-0).

**Ordinance 973 re Legal Action Against City Officials & Employees:** City Attorney Weed advised of the state law which authorizes cities to provide for legal defense should an elected official, employee, or appointed official be named in an action against the city while they were performing in good faith and within the scope of their duties.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Welch, to approve Ordinance 973 regarding Legal Action Against City Officials and Employees. On vote the motion carried (7-0-0-0).

**Resolution 2016-18 re Surplus Real Property:** Director Wright presented the staff report in support of surplus ten properties along the 20<sup>th</sup> Street SE Corridor, with the proceeds from their sale to be put into a fund for capital improvement projects in the corridor. He noted that any portions of the properties the city might need for future projects will be dedicated to the city before any sale. He then responded to Councilmembers' questions. Attorney Weed added that any purchase and sale agreements would be coming back to Council for final approval.

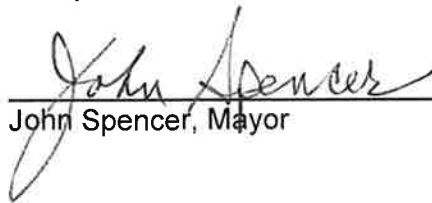
**MOTION:** Moved by Councilmember Holder, seconded by Councilmember McDaniel, to approve Resolution 2016-18 - A resolution of the city of Lake Stevens, Washington authorizing the City Council to surplus real property along the 20th Street SE Corridor. On vote the motion carried (7-0-0-0).

**Update to Long Range Planning Work Plan:** Director Wright requested council input on several plan elements. A moratorium for downtown had been suggested because development might not be consistent with the ultimate plan. That suggestion did not receive support but follow-on discussions led to the suggestion of limitations on height or other requirements which would allow development to occur but would keep the downtown consistent with the future vision. After research, staff is suggesting a height limitation of 45 feet, or four stories. There is interest in providing a two-year extension to the land use approval process, from ten years to twelve. Interest has been expressed by potential developers in changing some local business uses; one for car washes and the other for mini-storage. Staff recommends these be located in a highway-oriented business zone. Another consideration is allowing All Terrain Vehicles on city streets. Staff suggests studying this further. Some members of the Master Builders have requested the city re-visit its private road standards and model home regulations. This may be brought forward next year, but there has not been a full discussion yet. These topics have been brought to the Economic Development Subcommittee, which supported the downtown height restrictions and the other staff recommendations.

Director Wright responded to councilmember questions. After discussion, it was the consensus of council to amend the long-range work plan and bring some items back for further study. No action was taken.

**Adjourn:**

Moved by Councilmember Low, seconded by Councilmember Welch to adjourn the meeting at 8:15 p.m. On vote the motion carried (7-0-0-0).

  
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John Spencer, Mayor

  
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Barb Stevens, City Clerk