

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

Tuesday, September 27, 2016

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 John Spencer

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

ELECTED OFFICIALS ABSENT: Councilmember Kurt Hilt

STAFF MEMBERS PRESENT: Interim City Administrator Mary Swenson, Finance Director/City Clerk Barb Stevens, Community Development Director Russ Wright, Public Works Director Mick Monken, Police Chief John Dyer, Sgt. Ron Brooks, Officer David Carter, Deputy City Clerk Holder Pugh and City Attorney Grant Weed

OTHERS:

Pledge of Allegiance: Council President Low introduced Boy Scout Troop 184 which led the Pledge of Allegiance.

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

Approval of Agenda: Removed consent agenda item (F) re Adjustment to Salary Schedule for Human Resources Director. Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve the agenda as amended. On vote the motion carried (6-0-0-1).

Employee Appreciation: Mayor Spencer recognized Ralph Krusey for his excellence in the position of Interim Police Chief and presented him with a plaque recognizing his contributions and exemplary service to the City.

Oath of Office: Mayor Spencer introduced new Chief of Police John Dyer and administered the Oath of Office.

Chief Dyer thanked the Mayor and Councilmembers for the opportunity to serve the City of Lake Stevens, his family for their support, his friends and outgoing Interim Chief Ralph Krusey. Chief Dyer said he is looking forward to working with the officers and staff of the Lake Stevens Police Department.

Mayor Spencer announced a brief recess at 7:11 p.m. The meeting was reconvened at 7:19 p.m.

Employee Recognition: Sgt. Ron Brooks introduced Officer David Carter who is being recognized for his outstanding work as the lead marine patrol officer for the year. Officer Carter received the gold 2016 recreational boater safety education merit award from the State and a Performance Incident Report. He was responsible for replacing and cleaning numerous buoys on the lake, updating swim beach signage, setting up the swim area markers at Lundeen beach, and worked with lakefront homeowners to bring their buoys into compliance. Additionally Officer Carter worked with the Lake Stevens Water Ski Association and the Lake Stevens Rowing Club, and he worked to complete a video on the lake, along with many other projects. Officer Carter's efforts have made the City's Marine Patrol one of the best in the state.

Guest Business:

Terry Buck, 318 95th Drive SE, Lake Stevens, is concerned about what he calls selective code enforcement relating to no parking signs installed on one side of his street after a complaint was received by the City. Mr. Buck believes the code should be enforced uniformly.

Mayor Spencer responded this will be reviewed by the Public Works Committee.

Council Business:

- Councilmember Daughtry: Planning and Economic Development Subcommittee, Sewer Utility, Snohomish County Cities for Improved Transportation (SCCIT).
- Councilmember Low: Opioid Forum at Cavelero, library property dedication; Attorney Interviews, review of City Administrator applications.
- Councilmember Welch: Budget Subcommittee
- Councilmember McDaniel: Sewer Utility, Public Safety meeting, Fire District Strategic Planning.
- Councilmember Holder: No report.
- Councilmember Tageant: Interviews, Budget Subcommittee, Sewer Utility

Mayor's Business: Sno-Isle library property dedication, City Administrator applications, Master Builders Conference, City surplus of a horse.

City Department Report.

- Public Works Director Monken: Grade Road update, 36th Street NE bridge repair update, boat launch repair update, Mr. Livers gifted the City approximately 300 square feet on the Hartford Trail connection for a bench and picnic table.
- Community Development Director Wright: Meeting with Snohomish County Parks staff re Cavelero Park, second Open House for Downtown Subarea coming up at end of October or beginning of November
- Interim City Administrator Swenson: Working with Council to set a date for a retreat in early 2017
- Finance Director/City Clerk Stevenson: Budget, Washington State Finance Officers Association
- Police Chief Dyer: 30/60/90 day Plan to integrate into community, Fire Department Strategic Planning

Consent Agenda:

MOTION: Moved by Councilmember Tageant, seconded by Councilmember Low, to approve (A) 2016 Vouchers [Payroll Direct Deposits of \$174,578.37, Payroll Check Nos. 41099-41101 totaling \$5,494.15, Tax Deposits of \$73,8009.16, Electronic Funds Transfers (ACH) totaling \$8,124.79, Claims Check Nos. 41102-41192 totaling \$527,263.16, Total Vouchers Approved: \$789,269.81], (B) City Council Regular Meeting Minutes of September 13, 2016, (C) Extension of Agreement with Property Disposition Services, (D) Letter of Engagement with Ogden Murphy re Small Cellular Facility Consortium, (E) Reclassification of Civil Engineer Position to Engineer Senior Level, (F) [Removed] (G) Reclassification of One Part-Time Cashier-Receptionist to Office Assistant. On vote the motion carried (6-0-0-1).

Public Hearing:**Public Hearing and First and Final Reading of Ordinance 964 re Floodplain Code**

Amendments: Deputy City Clerk Pugh opened the public hearing and read the rules of procedure for the record.

Community Development Director Russ Wright presented the staff report and said that the amendments are being brought forward following Department of Ecology's 2015 Community Assistance Visit ("CAV") and the issuance of DOE's findings that the City's floodplain permits contain deficiencies. Director Wright reviewed the recommended changes. Director Wright reviewed the public process for addressing these deficiencies and concluded that with the passage of Ordinance 964 the Lake Stevens Municipal Code will be in compliance with DOE's recommendations. Director Wright then responded to Councilmembers' questions.

Mayor Spencer invited public comment; there were none.

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

MOTION: Moved by Councilmember Welch, seconded by Councilmember Tageant, 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 964 amending the Lake Stevens Municipal Code Section 14.08 entitled "Basic Definitions and Interpretations" and Section 14.64 entitled "Special Flood Hazard Areas, Drainage, and Erosion." On vote the motion carried (6-0-0-1).

Action Items:

2016 Pavement Overlay Final Project Acceptance: Civil Engineer Adam Emerson updated on the 2016 Pavement Overlay and requested that Council formally accept the project.

MOTION: Moved by Councilmember Low, seconded by Councilmember Welch, to accept the 2016 Pavement Overlay Final Project. On vote the motion carried (6-0-0-1).

Approve Concession Agreement with Papa's Woodfire Pizza: Economic Development Coordinator Jeanie Ashe presented the staff report and said that Papa's Wood Fired Pizza is working with City staff to apply for a concession agreement to operate a pizza concession at

Lundeen Park on Friday, Saturday and Sunday from October 7, 2016 through December 18, 2016. Tonight's requested action is to authorize the Mayor to enter into the concession agreement once Papa's Wood Fired Pizza has submitted a concession application and successfully complied with all conditions. Ms. Ashe then responded to Councilmembers' questions.

Norm, owner of Papa's Wood Fire Pizza, said that often people pick up pizzas and leave. He is busy usually between 5:30 and 7:00 p.m. and during the day business is "so-so". People did tend to stay and visit when he was at the Machias Market. He doesn't normally sell beverages, but could if requested.

Councilmembers Tageant and McDaniel would like input from the Parks Coordinator before a decision is made, and Councilmember McDaniel added there are other locations that are private that might be better suited for this type of business.

Councilmember Low commented this is a short term commitment to see if this is a viable opportunity that would work in the Lake Stevens community.

Councilmember Tageant would like to see a full application submittal before voting.

Councilmember Holder believes this is a good short-term opportunity, and that public-private partnerships are being undertaken in many public areas.

MOTION: Moved by Councilmember Low, seconded by Councilmember Welch, to authorize the Mayor to enter into a concessionaire agreement with Papa's Wood Fired Pizza once the applicant has submitted a completed application and successfully complied with all conditions. On vote the motion carried (4-2-0-1).

Amendment to Professional Services Agreement with Crandall Arambula re Scope of Work: Director Wright presented the staff report and said that the main amendment is to increase the scope of work to allow for a videographer to develop videotape of the public participation process that will be available for all city residents to view. This will provide an additional outreach for people who are not able to attend the public meetings and also will provide a historical record of the meetings. The videographer will work at the direction Crandall Arambula and be paid by that consultant. Director Wright said that the other change is to correct an error in the original contract amount. He then responded to Councilmembers' questions.

Councilmember McDaniel believes the consultants needs to work within the budget they were given.

Mayor Spencer commented that he requested this as he believes it is an excellent way to convey the various alternatives in short time clips to the public, and to in turn receive public response to the ideas. Mayor Spencer said there is not enough money in the contract to allow for this addition to the scope.

In response to Councilmember Holder's question, Director Wright said that the videos would be both informational and show public meetings.

Councilmember Daughtry commented that this would help to relieve misinformation that is circulated on social media.

Mayor Spencer updated on the cost of the two videos that were prepared previously at the City's request.

MOTION: Moved by Councilmember Low, seconded by Councilmember Holder, to approve the amendment to the Professional Services Agreement with Crandall Arambula re Scope of Work. On vote the motion carried (6-0-0-1).

Councilmember Tageant left the meeting at 8:19 p.m.

Study Session: Director Wright reviewed the proposed Annexation Strategy Plan with Council and responded to Councilmembers' questions. He added that he spoke with Councilmember Tageant in depth about the strategies and relayed that Councilmember Tageant is in favor of moving forward.

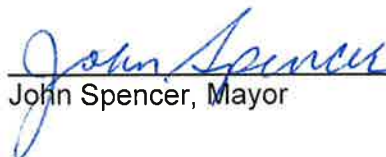
Executive Session: Mayor Spencer announced an executive session for 10 minutes to consider the purchase or sale of real estate beginning at 8:32 p.m. and ending at 8:42 p.m. with action to follow.

Mayor Spencer noted that although Councilmember Tageant had to leave early this evening, he had disclosed a conflict with regards to the topic of the executive session and would have abstained from voting.

MOTION: Moved by Councilmember Daughtry, seconded by Councilmember McDaniel to authorize the mayor to enter purchase and sale agreements for the property known as the Grade Road property and simultaneously with the property known as Ridgeline, with the assessed value of the property being acquired being greater than the property being sold. On vote the motion carried (6-0-1-1).

Adjourn:

Moved by Councilmember Low, seconded by Councilmember Welch to adjourn the meeting at 8:44 p.m. On vote the motion carried (5-0-0-2).



John Spencer, Mayor



Kathy Pugh, Deputy City Clerk