

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

Monday, January 28, 2013  
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 Vern Little

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

COUNCILMEMBERS ABSENT: Neal Dooley

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director Barb Lowe, Public Works Director Mick Monken, Human Resource Director Steve Edin, Interim Police Chief Dan Lorentzen, and City Clerk/Admin. Asst. Norma Scott

OTHERS: Tom Matlalck

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**Excused Absence.** Councilmember Spencer moved to excuse Councilmember Dooley, seconded by Councilmember Daughtry; motion carried unanimously. (6-0-0-1)

**Guest Business.** None

**Consent Agenda.** Councilmember Spencer moved for approval of Consent Agenda Items A-D (A. Approve January 2013 vouchers [Payroll Direct Deposits 906745-906798 for \$127,800.92; Payroll Checks 34643 for \$2,461.91; Electronic Funds Transfer 548-551 for \$3,456.21; Claims 34653-34687 for \$69,252.50; Tax Deposit 1.15.13 for T52,215.93 for total vouchers approved of \$255,187.47]; B. Approve City Council regular meeting minutes of January 14, 2013; C. Authorize Interlocal Agreement for Furnishing Equipment Maintenance/Repair Service with Snohomish County; D. Authorize Prosecuting Attorney contract with Zachor & Thomas, Inc.), seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

**Design Review Board appointments.** Mayor Little reviewed the following appointments: reappointment of Matthew Kimball and Derek Olson; move Sammie Thurber from Planning Commission Alternate to Planning Commission Representative; add Pam Barnet as Planning Commission Alternate; remove Tom Matlack as Alternate on the Design Review Board since he is being considered for appointment to the Planning Commission this evening; and Mr. Matlack vacated Alternate position will be filled later.

**MOTION:** Councilmember Tageant moved to approve nominees as identified for the Design Review Board, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

**Planning Commission appointment.** Mayor Little introduced Tom Matlack.

**MOTION:** Councilmember Spencer moved for approval of Tom Matlack for the Planning Commission, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

**First reading of Ordinance No. 881, Title 10 Parks and Recreation amendments.** Interim Police Chief Lorentzen fielded questions from the Council: Councilmember Holder – difficult to determine noise level from watercraft – Police Commander Lorentzen – using City of Kirkland’s code and they have no issues and the City has a certified sound meter; Councilmember Quigley - what is the penalty, such as for loud music - Interim Police Chief Lorentzen - is an infraction or could issue a warning; and Councilmember Quigley – questioned required boat direction – Interim Police Chief Lorentzen – it’s about safety having the boats travel one direction, realizing that’s very difficult for boaters.

Principal Planner Watkins noted a missing map that depicted the Cove area will be added as an exhibit. Councilmember Spencer asked how existing buoys are deal with. Mrs. Watkins responded they are always required to have a permit. The code is rewritten to meet state, city and Police requirements. Old buoys are grandfathered as long as they are the correct color. Councilmember Spencer asked where don’t feed the birds is located in the code and also need signage – staff will research. Principal Planner Watkins noted the double parenthesis on Page 53 of the agenda will be removed.

**MOTION:** Councilmember Spencer moved to accept first reading of Ordinance No. 881, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

**Authorize Capital expenditure for the Police Department facility.** Public Works Director Monken reported the storage facility needs work for safety and security of the property. The \$12,000 expenditure is from the drug seizure fund; a budget amendment will follow once this expenditure is approved.

**MOTION:** Councilmember Tageant moved to authorize capital expenditure to perform facility improvements to the Police Evidence Facility in the amount of \$12,000, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

**Approve Phosphorus Plan.** Public Works Director Monken noted the following four updates: Graphs B & C were added to provide historical and current information on sources of Phosphorus loading, in the “Reduce External Loading” table the State regulations on use and sale of phosphorus was changed, and Exhibit B cost project has been updated to separate the existing operating and capital forecast budget/forecast. The following is the recommendation: alum treatment; education, regulations and annual monitoring in lake to reduce the external loading, make determination whether to phase out or reactivate the aerator after 2018, and monitor and review to determine success of actions and revise as needed. If this plan is approved by Council, the next steps are: staff will coordinate with Snohomish County on amending the exiting aerator interlocal to include the alum treatment, amend the budget, and then go out for a Request for Proposals (RFP) in late winter or early spring.

Councilmember Quigley asked about the budget for external loading costs. Public Works Director Monken responded street sweeping and education through a DOE grant Will work with the Conservation Corps, Snohomish County and DOE, but the details have not been worked out at this time, which is a small budget item. Councilmember Quigley requested seeing it in the budget and plan. Public Works Director Monken responded he will provide in two weeks.

MOTION: Councilmember Spencer moved for approval of Phosphorous Management Plan for the City for implementation of alum treatment in 2013 provided we see a corresponding funding for external loading plan for education, seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

**Emergency declaration for landslide on East Lakeshore Drive.** Public Works Director Monken reported a landslide occurred in the 1200 block caused by a broken waterline, which blocked the road. Emergency work was completed, which does not require the City to go out to bids. The City hired a company that was already working near the site. The property manager was located; the property manager identified that it was their fault. The City will recover staff costs. Under state requirements the City, within 14 days, must declare an emergency, which is being accomplished through the Resolution (2013-2) this evening.

MOTION: Councilmember Daughtry moved for Resolution 2013-2 to work on the landslide, seconded by Councilmember Spencer; motion carried unanimously. (6-0-0-1)

**Award of contract for the 20<sup>th</sup> Street NE pedestrian connection.** Public Works Director Monken noted the scope of this project is to fill in missing sections of the exiting sidewalk to provide a contiguous sidewalk along the entire south side of 20<sup>th</sup> Street NE from Main Street to the Centennial Trail. Cascade Surveying and Engineering was selected. The cost is \$28,000 plus a \$2,000 management reserve. Surveying is to begin in February with construction during the summer when school is not in session.

MOTION: Councilmember Daughtry moved to approve award for the survey design on 20<sup>th</sup> Street NE connectivity, seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

**Shoreline Master Program (SMP) update.** Planning Director Ableman noted the City received a Conditional Approval Letter from Department of Ecology (DOE). DOE provided required and suggested changes to the SMP. Staff prepared a letter requesting an extension to Ecology's 30-day response requirement to the Conditional Approval Letter. By extending to April 30, 2013 will allow Council discussion and public process before developing a response to DOE. Councilmember Tageant would like a citizen committee process. Planning Director Ableman will set up a meeting with the citizens committee and other interested parties early next month.

**2012 Buildable Lands report.** Mayor Little requested Councilmember Spencer attend the Snohomish County Tomorrow (SCT) meeting on February 27 at 6:00 p.m. since he is unable to attend.

Planning Director Ableman reported every County that is planning under GMA buildable lands must accommodate the growth. Ms. Ableman reviewed the comparison chart which describes the Lake Stevens UGA land capacity as adequate to meet the allocated 2025 growth targets.

**2035 Growth Target Allocation.** Planning Director Ableman noted that employment and population determine where you are in the tier for growth allocation – Metropolitan City (Everett) Core City (Bothell, Lynnwood), Large City (Arlington, Lake Stevens, etc), Small City (Darrington), etc. The City is trying to get as much of the job growth as we can.

**Council Person's Business:** Councilmembers reported on the following meetings: Spencer – Health District – Mayor Little will meet with Councilmember Spencer and Health District; and Daughtry – SCT had elections and the Chamber is officially open for business at Lundeen Park.

**Mayor's Business:** Mayor Little met with North County Mayors where they discussed New World software and Highway 9 corridor.

**Staff Reports:** Staff reported on the following: City Administrator Berg – will be meeting with Washington Association of Sheriff and Police Chiefs on recruitment; Planning Director Ableman – distributed Centennial Trail Maps, Tenelco/Evergreen Sanitation update and the next step is the SEPA determination, staff will attend training by Puget Sound Clear Air Agency to implement the Interlocal Agreement, and discussed zoning options of the commercial area (in reference to Guy Mahan property); Public Works Director Monken – 20<sup>th</sup> street strategy (meeting with PUD on underground/overhead wiring issues) and will be going to Olympia for the SR9 corridor; and Interim Police Chief Lorentzen – LEMAP (executives from different Police agencies) will be reviewing Police Department policies and procedures.

**Adjourn.** Councilmember Spencer moved to adjourn at 8:25 p.m., seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

  
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Vern Little, Mayor

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