

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

Tuesday, April 10, 2018

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: Councilmembers Kim Daughtry, Gary Petershagen, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: Councilmember Kurt Hilt

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Police Chief John Dyer, Human Resources Director Teri Smith, City Clerk Kathy Pugh, City Attorney Grant Weed, Human Resources/ Executive Assistant Julie Good

OTHERS: Doug Levy, Outcomes by Levy

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**Pledge of Allegiance:**

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

**Approval of Agenda:** City Clerk Kathy Pugh noted for the record that Consent Agenda Item E, March 6, 2018 Special Meeting minutes were previously approved at the March 27, 2018 meeting and should be removed.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve the agenda. On vote the motion carried (6-0-0-1).

**Guest Business:** Doug Levy of Outcomes by Levy reviewed the outcomes of the 2018 Legislative Session and highlighted that Lake Stevens received funding for the Civic Center and Lake Stevens Food Bank, as well as funding for Transportation needs including the U.S. 2 Trestle, SR 9/SR 204 intersection, and for specific, and local community projects, including South Lake Stevens Road improvements. He also noted that some of the well known legislators are not running for re-election which result in significant change in the composition of the Legislature. Mr. Levy then responded to Councilmembers' questions.

**Citizen Comments:** None.

**Council Business:**

- Councilmember Daughtry: Veterans Commission; Chamber Expo April 21.

- Councilmember Petershagen: Snohomish County Council Public Hearing on movement of the Urban Growth Area and flexibility; City of Monroe Waste Water Treatment Plant.

Council requested a letter be sent to the Snohomish County Council supporting proposed changes to the Urban Growth Area including more flexibility.

- Councilmember McDaniel: Planning Commission.
- Councilmember Gailey: National League of Cities, Safe Injection Sites ban, new Police Station.
- Councilmember Tageant: Veterans Commission; welcomed Human Resources/Executive Assistant Julie Good

**Mayor's Business:** Reminded Public Disclosure Commission filings are due next week; Strategies 360 follow up.

### **City Department Report.**

- City Administrator Gene Brazel: Strategies 360 grant opportunities; Monroe Wastewater Treatment Plant Tour-carpool.
- Community Development Director Russ Wright: Police Station bids closing next week, Beautification Public Meeting April 12 at 6 p.m.; Office of Financial Management audit on new housing units; met with Snohomish County, Monroe and Snohomish to talk about annexation proposals in the County; Frontier Heights Park; RCO grants for Eagle Ridge and Frontier Heights Parks.
- Public Works Director Eric Durpos: City Hall plantings and parking landscaping; Lundeen bid opening April 18; Callow Road; in-house design of Eagle Ridge parking area; 20<sup>th</sup> Street SE Ballfields; Village Way and Main Street Design; Frontier Heights design; catch basins, tree work, PSRC grant for 20<sup>th</sup> SE, WSDOT 9/204 Interchange, Safe Routes to School
- Human Resources Director Teri Smith: Capital Projects Coordinator, seasonal hire staffing update; personnel policies.
- Chief of Police John Dyer: Operations update, strategic planning, staffing update, boatlift installation, security at Planning Commission meetings.
- Finance Director Barb Stevens: Financial Consulting Services stormwater rate study

### **Consent Agenda:**

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Welch, to approve (A) 2017 Vouchers [Payroll Direct Deposits of \$186,899.81, Payroll Checks 44911-44912 totaling \$4,469.98, Tax Deposits of \$67,588.44, Electronic Funds Transfers (ACH) of \$229,558.29, Claims Check Nos. 44913-45034 totaling \$262,680.85, Void Check Nos. 42971, 43587, 43201, 44776, 44118, 41972, 43433, 44586, 44922 totaling \$1,137.43, Total Vouchers Approved: \$750,059.94], (B) February 27, 2018 City Council-Parks Board Joint Meeting Minutes (C) February 27, 2018 City Council Regular Meeting Minutes, (D) March 6, 2018 City Council Workshop Meeting Minutes, (E) March 6, 2018 City Council Special Meeting Minutes (previously approved March 27, 2018), (F) March 27, 2018 City Council Regular Meeting Minutes, (G) Resolution 2018-13 re Frontier Heights Park Grant Application and (H) Resolution 2018-14 re Eagle Ridge Park Grant Application, (I) Interlocal Agreement with Marysville re Movies in the Park, and (J) Reconsideration and Revision of Motion to Adopt Resolution 2018-008 re Council Rules of Procedure. On vote the motion carried (6-0-0-1).

**Public Hearing:**

**RAM Restaurant Right-of-Way Vacation and Adopt Ordinance No. 1022:** Mayor Spencer opened the public hearing.

Senior Planner Josh Machen presented the staff report and said this request is for vacation of approximately 563 square feet of unused right-of-way south of Market Place. The request is made as part of the new restaurant planned for the corner of Market Place and 91<sup>st</sup> Avenue NE, because the architects did not account for the five-foot setback requirement to the edge of the Market Place Right-of-Way. Without the dedication of this right-of-way the applicants will lose critical square footage within the building. Planner Machen then responded to Councilmembers' questions.

Mayor Spencer invited public comment and there was none. Mayor Spencer closed the public comment portion of the hearing, and he then closed the public hearing.

**MOTION:** Moved by Councilmember Welch, seconded by Councilmember Gailey, to approve the proposed right-of-way vacation by adoption of Ordinance No. 1022. On vote the motion carried (6-0-0-1).

Councilmember Daughtry complimented staff on working with the applicant to find a solution to this problem, rather than saying no.

**Action Items:**

**Approve Resolution 2018-12 Recognizing Frank LeRoy McDaniel:** Mayor Spencer commented on the recent passing of lifetime city resident Frank McDaniel and the contributions he made to the community. Mayor Spencer said that Council has requested to bring forward this resolution recognizing Mr. McDaniel.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve Resolution 2018-12 Honoring and Commemorating Frank L. McDaniel. On vote the motion carried (6-0-0-1).

**Approve Resolution 2018-11 Amending Rates and Fees:** Planner Machen presented the staff report and said that the proposed amendments provide for a variable fee for administrative review of building permits that are also model homes, and under the Significant Tree Replacement requirement, for a fee-in-lieu-of when there is not sufficient space to replant the site. Planner Machen added that the U.S. Department of State Passport Services has approved an increase of the passport execution fees from \$25 to \$35, and this is also reflected in this resolution. Director Stevens responded to Councilmembers' questions as to how the tree replacement fee-in-lieu-of would work.

**MOTION:** Moved by Councilmember Petershagen, seconded by Councilmember Tageant, to approve Resolution 2018-011 Adopting Rates, Fees and Deposits for City Services and Actions performed by the City. On vote the motion carried (6-0-0-1).

**Approve Professional Services Agreement with Welch Comer & Associates, Inc. re**

**Village Way Design:** Public Works Director Eric Durpos presented the staff report and said this project is to construct an access road into the Frontier Village Shopping Center from 4<sup>th</sup> Street NE, which will help with traffic flow at this shopping complex due to the modifications that are part of the SR 9/SR 204 interchange improvement. Director Durpos then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Welch, to authorize the Mayor to execute a Professional Services Agreement with Welch, Comer & Associates, Inc. to design the Frontier Village Southern Access Road for an amount of \$92,300.00 with a management reserve of \$7,700.00. On vote the motion carried (6-0-0-1).

**Approve Supplement No. 3 to Contract with Aqua Technex re Milfoil Treatment:** Director Durpos presented the staff report and said this is part of the Integrated Aquatic Plant Control Plan to provide a long-term solution to dealing with Eurasian Milfoil. Director Durpos noted that the city first contracted with Aqua Technex in 2011 to aggressively treat the Eurasian Milfoil, and in 2016 the City awarded a second five-year contract to Aqua Technex. Treatment under this third supplement is proposed to be administered at intervals from late April to mid July, and will deal with milfoil infestations throughout the life cycle of the plant. Staff has worked proactively with the County to develop a plan, including better public notification. Director Durpos then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember McDaniel, seconded by Councilmember Petershagen, to authorize Supplement No. 3 to the current contract with Aqua Technex, LLC to perform the year 7 pre- and post-survey and recommended control measures as part of the 2011 implementation of Application Strategy Plan for an amount of \$88,669.75. On vote the motion carried (6-0-0-1).

**Discussion Items:** None.

**Study Session:** None.

**Executive Session:** Mayor Spencer announced an executive session beginning at 8:15 p.m. and lasting 10 minutes for the purpose of discussion potential real property acquisition, with no action to follow.

At 8:25 p.m. Administrator Brazel announced a 10 minute extension of the executive session.

The regular meeting of the City Council reconvened at 8:34 p.m.

City Clerk Pugh advised the vote on Supplement No. 3 to the Aqua Technex contract reflects an incorrect dollar amount and requested the motion be revoted with the correct dollar amount.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Daughtry, to authorize Supplement No. 3 to the current contract with Aqua Technex, LLC to perform the year 7 pre- and post-survey and recommended control measures as part of the 2011 implementation of Application Strategy Plan for an amount of \$84,669.75. On vote the motion carried (6-0-0-1).

**Adjourn:**

Moved by Councilmember Daughtry, seconded by Welch to adjourn the meeting at 8:36 p.m.  
On vote the motion carried (6-0-0-1).

  
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John Spencer, Mayor

  
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Kathy Pugh, City Clerk