

CITY OF LAKE STEVENS
CITY COUNCIL REGULAR MEETING MINUTES
Tuesday, February 26, 2019
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: Councilmembers Kim Daughtry, Gary Petershagen, Kurt Hilt, Todd Welch, Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: None

STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Planning Manager Josh Machen, Public Works Director Eric Durpos, Commander Jeff Beazizo, Commander Ron Brooks, City Clerk Kathy Pugh, City Attorney Greg Rubstello, Police Sgt. Jim Barnes and Police Officer Crystal McGuinn

OTHERS:

Pledge of Allegiance: Mayor Spencer led the Pledge of Allegiance.

Roll Call: All present.

Approval of Agenda: Council Chair Petershagen said that Introduction of New Employee Sabrina Gassaway is being rescheduled to a future meeting. Chair Petershagen would like to add a discussion item related to the visit to the legislators in Olympia on February 25.

MOTION: Moved by Councilmember McDaniel, seconded by Councilmember Gailey, to add a discussion item to the agenda related to the Olympia visit on February 25, 2019. On vote the motion carried (7-0-0-0).

MOTION: Moved by Councilmember Tageant, seconded by Councilmember Welch, to approve the agenda with the noted changes. On vote the motion carried (7-0-0-0).

Oath of Office: Commander Beazizo introduced Police Officer Crystal McGuinn and Mayor Spencer administered the oath of office to Officer McGuinn.

Citizen Comments: None.

Council Business:

- Councilmember Daughtry: SCCIT.
- Councilmember Hilt: Lake Stevens Fire/Fire District 7 public meeting regarding possible merger.
- Councilmember Gailey: Lake Stevens Sewer District Facility tour.

Mayor's Business: State Legislature Transportation Committee hearing on Thursday, February 28th, Transportation Benefit District, correspondence to Congressman Larsen regarding transportation and infrastructure priorities.

City Department Report:

- City Administrator Gene Brazel: Historical Society.
- Community Development Director Russ Wright: Williams Property relocation update; American Legion meeting regarding the War Memorial location.
- Public Works Director Eric Durpos: Streets update, working with PUD regarding pole locations, Community Center.
- Police Commander Beazizo: Lake Stevens School District/Marysville-Pilchuck-Reunification plan for schools, Canine program, Vehicle update, Stop the Bleed training; Passport discussion.
- Finance Director Barb Stevens: Public Defense Social Worker additional grant funds

Consent Agenda:

MOTION: Moved by Councilmember Daughtry, seconded by Councilmember Welch, to approve (A) 2019 Vouchers [Payroll Direct Deposits of \$213,632.55, Payroll Check No. 47130 totaling \$1,764.95, Tax Deposits of \$202,391.83, Electronic Funds Transfers (ACH) of \$77,461.57, Claims Check Nos. 47129, 47131-47263 totaling \$620,340.91, Void Check Nos. 45333, 45635, 46358, 47012, 47023, 47056, 47129 totaling \$2,573.04, Total Vouchers Approved: \$1,113, 018.77], (B) City Council Special Meeting Minutes of January 18-19, 2019, (C) City Council Regular Meeting Minutes of January 22, 2019, (D) City Council Special Meeting Minutes of February 5, 2019, (E) City Council Special Meeting Minutes of February 19, 2019, (F) Distribution of Vessel Registration Fee Cooperative Agreement with Snohomish County, (G) Real Property Acquisition in Industrial Area for Decant Facility. On vote the motion carried (7-0-0-0).

Public Hearings:

Resolution No 2019-05 Setting the 2019 Comprehensive Plan Docket: Mayor Spencer opened the public hearing.

Director Wright presented the staff report and explained that under the Growth Management Act the City can amend its Comprehensive Plan and future land use map once per year through an annual docket process. It is part of the 2019 work plan previously approved by Council for the Planning Commission. He then reviewed what elements of the Comprehensive Plan are being reviewed this year and commented the Planning Commission has reviewed and approved the proposed docket. Director Wright then responded to Councilmember's questions.

Mayor Spencer then opened the public comment portion of the public hearing.

Patrick McCourt, 10515 – 20th Street SE, Suite 202, Lake Stevens, requested clarification regarding city-initiated map amendments and increasing density around the lake to offer the possibility of housing around the lake at lower cost. He also asked about the Zoning designations along 20th Street SE and creating a more general business zoning.

Director Wright responded to Mr. McCourt's questions, saying the 20th Street SE amendments are included in the docket, and that higher density around the lake will be looked at. Director Wright also responded to Councilmember questions regarding shoreline density and the Shoreline Master Plan, and regarding broadening the commercial areas in the area of 91st Avenue NE.

Councilmember Petershagen commented the docket process appears fairly aggressive and encouraged that staff move forward with the proposed docket as fast as possible.

Mayor Spencer closed the public comment portion of the public hearing and invited additional questions and comments of Council.

Mayor Spencer closed the public hearing. He then invited additional questions of Council and there were none.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Daughtry, to adopt Resolution No 2019-05 Setting the 2019 Comprehensive Plan Docket. On vote the motion carried (7-0-0-0).

Ordinance No 1048 Concerning Wireless Communication Facilities: Mayor Spencer opened the public hearing.

Planning Manager Machen presented the staff report and summarized the new and revised regulations regarding wireless communication facilities including the new small wireless facilities. He then explained this ordinance will bring the City's code and regulations into compliance with the Spectrum Act and the adopted FCC rules regarding the permitting and siting of wireless communication facilities. Manager Machen commented in addition to working with the City Attorney's office, Verizon and AT&T comments were also taken into consideration.

Mayor Spencer opened the public comment portion of the public hearing.

Devendra Maharaj with Verizon Wireless, 3245 – 158th Avenue NE, Bellevue, WA, said that Verizon appreciated the opportunity to provide feedback on this code update and thanked the City for considering Verizon's concerns. This technology is important for the public, and Verizon remains available to answer any questions that might arise.

Mayor Spencer closed the public comment portion of the public hearing.

Manager Machen added that some of the examples in the ordinance have since been updated by Snohomish County PUD and staff would like to use those images rather than the images provided in the packet.

Mayor Spencer asked Council for additional questions and there were none. Mayor Spencer then closed the public hearing.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Petershagen, to adopt Ordinance No 1048 Concerning Wireless Communication Facilities with the noted changes to the photos recommended by staff. On vote the motion carried (7-0-0-0).

Councilmember Hilt requested an update this spring regarding the FCC new rules process.

Action Items:

Resolution No 2019-02 Setting Rates, Fees and Deposits: Manager Machen presented the staff report and explained the City periodically adjusts fees for licenses, permits and other services by resolution to ensure City costs are appropriate. This resolution includes new fees related to the Wireless Communication ordinance just adopted, as well as other housekeeping corrections. He stated staff is recommending City Council adopt Resolution 2019-02 with the proposed fee adjustments. He then responded to questions from Council.

There was discussion regarding the buoys and whether the buoy fee transfers to new homeowners. Councilmember McDaniel suggested an annual letter to be sent to homeowners who purchased buoys.

MOTION: Moved by Councilmember Welch, seconded by Councilmember Gailey, to adopt Resolution No 2019-02 Setting Rates, Fees and Deposits.

Councilmember Daughtry requested that information be brought back regarding the buoy discussion.

VOTE: On vote the motion carried (7-0-0-0).

DISCUSSION ITEMS:

February 25, 2019 Visit to Legislators: Councilmember Petershagen commented that Senator Hobbs has requested the Council support his transportation bill. He is concerned that Council has not discussed this bill and wonders if the City supports the bill generally speaking, the goals of the bill and funding, the funding mechanisms or the entire bill. Councilmember Petershagen does not support all of the funding mechanisms. He is looking for clarity as to what the City does support and would like Council to discuss what their position is.

Mayor Spencer said the testimony originally was to support a transportation package that would address funding, but not individual elements of the proposal. Mayor Spencer believes it is important to continue to support funding mechanisms for large infrastructure projects, but this does not suggest Lake Stevens is endorsing all elements of the bill. He does not know how the Council wants to approach supporting large infrastructure projects, whether in the detail or in the larger context.

Councilmember Daughtry said this was also discussed at SCCIT, and the consensus of the executive board is to support the bill now for the funding mechanisms, and that it is important to keep this moving forward.

Mayor Spencer commented it would be a mistake to support all elements of the bill, but generally there needs to be a funding package that will address Highway 2 from the Trestle all the way to Monroe, and also be aware there are other big projects in other parts of the state that need to be funded. He added that he believes it is important for Councilmembers to individually contact Senator Hobbs and share with him what elements of the bill they can and cannot support as individual elected officials.

Councilmember McDaniel shared her concern that the Council is not unified in how it supports this bill and it is important that this be clear to state legislators as well. She is also concerned as

to which other surrounding cities are publicly supporting Lake Stevens' efforts to obtain funding for improvements to the Trestle, and said these funding requests will affect families directly.

Mayor Spencer commented that the bill is set up so that using a toll lane is optional. He added that Everett has been quite outspoken in supporting infrastructure improvements. Mayor Spencer requested Council agreement to continue to press that there is a funding need to improve infrastructure.

Councilmember Tageant does not mind being the voice for the US 2 Trestle as it is at the City's doorstep. He said if the City stops asking for funding it sends the message that there is no longer a need and the funding will not be made available. The message needs to be consistent over time.

Councilmember Hilt agrees with Councilmember Tageant's comments, and also agreed with Councilmember McDaniel that it would be nice if neighboring cities were more supportive. He added that it is too early in the process to look at specific projects.

Councilmember Gailey said he applauds Senator Hobbs for putting this package together. He is concerned that by speaking in generalities, the taxpayers pay the bill. He noted that this bill contains a carbon tax and a toll, and neither are supported by the voters. He does not support the revenues proposed to fund this infrastructure. He is disappointed that the City's lobbyist has not pursued the idea of extending SR 526 to relieve some of the Trestle traffic congestion.

Mayor Spencer said that is not the case. The state legislators have said they have no interest in extending SR 526, and they want to focus on improvements to the Trestle. He added that Everett does not support a SR 526 extension. Mayor Spencer added that the City's citizens are suffering because of the poor condition of the Trestle. He further said that the United States Supreme Court has ordered that culverts be replaced to enhance fish passage; Senator Hobbs has opposed using gas tax money for this purpose and proposes that the carbon tax can be used to replace the culverts. He further commented that Tribal rights and the ability for tribes to catch enough fish to feed their families is a treaty right. Mayor Spencer said he is going to Olympia to support this bill and that it is important to move forward.

Councilmember Petershagen appreciated and agreed with Mayor Spencer's comments, knowing there is an opportunity to work through funding options.

Mayor Spencer added it will be important for the Council to continue to discuss this bill.

Councilmember Daughtry commented on the amount of work that Senator Hobbs put into the bill, and Council may not fully understand what is behind each element of the bill. It is important to look closely at each individual element and see how it fits in the big picture.

Councilmember Tageant said it is important to lobby for funding at the federal level as well.

Councilmember Petershagen commented that some of the projects identified in the bill are actually for federal roads, and the City needs to continue lobbying for federal funding for these projects.

Councilmember Welch said everyone has raised good points. He supports moving forward and supporting this transportation package, knowing that there are a lot of details that need to be worked out.

Councilmember Gailey generally agrees with Mayor Spencer's comments and noted that the public does not trust tolls.

Mayor Spencer reviewed the other meetings that occurred on February 25th, including meeting with the Veterans Legislative Coalition, located in the greater Yelm area, to discuss how to move Veterans support and projects forward. It was suggested that Lake Stevens become a Purple Heart City. He added that he learned today that the Veterans Commission is moving forward with recognizing veteran-owned businesses.

Councilmember Daughtry said this also extends to businesses who hire veterans and their spouses, and he is currently working with the Chamber of Commerce to identify those businesses.

Adjourn:

Moved by Councilmember Hilt, seconded by Councilmember Welch to adjourn the meeting at 9:18 p.m. On vote the motion carried (7-0-0-0).



John Spencer, Mayor



Kathy Pugh, City Clerk