

**CITY OF LAKE STEVENS  
CITY COUNCIL REGULAR MEETING AND JOINT  
MEETING WITH DEPARTMENT OF ECOLOGY MINUTES**

Tuesday, March 26, 2019

Lake Stevens School District Educational Service Center (Admin. Bldg.)  
12309 22<sup>nd</sup> Street N.E. Lake Stevens

CALL TO ORDER: 7:17 p.m. by Mayor John Spencer

ELECTED OFFICIALS PRESENT: Councilmembers Kim Daughtry, Gary Petershagen, Rauchel McDaniel, Brett Gailey and Marcus Tageant

ELECTED OFFICIALS ABSENT: Councilmembers Todd Welch and Kurt Hilt

STAFF MEMBERS PRESENT: Community Development Director Russ Wright, Planning Manager Josh Machen, Commander Jeff Beazizo, Commander Ron Brooks, City Clerk Kathy Pugh, City Attorney Greg Rubstello, Associate Planner Jill Meis

OTHERS: Chad Yunge, Department of Ecology; Mark Daniel [Add Watershed Representatives by name]

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**Roll Call:** Moved by Councilmember McDaniel, seconded by Councilmember Gailey, to excuse Councilmembers Welch and Hilt from the meeting. On vote the motion carried (5-0-0-2).

**Approval of Agenda:**

Staff requested Consent Agenda Item (F) be removed for further review.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Gailey, to approve the agenda as amended. On vote the motion carried (5-0-0-2).

**Citizen Comments:** None.

**Council Business:**

- Councilmember Daughtry: Joint Session Snohomish County Cities and Snohomish County Tomorrow, Snohomish County Cities for Improved Transportation, Community Transit Board
- Councilmember Petershagen: Met with Ann Larson, aide to Senator Patty Murray regarding the Trestle; Trestle Tour with Congresswoman Suzan DelBene
- Councilmember McDaniel: Thanked staff and public works for great job on downtown
- Councilmember Gailey: 2050 Vision, U.S 2/Trestle Tour; Ride-along with Sewer District
- Councilmember Tageant: War Memorial Flag Retirement

**Mayor's Business:** Water Environment Technical Conference September 21-25, 2019. Mayor Spencer requested clarification from Council on attending this conference and said it would provide valuable information for working with the Sewer District. Councilmember Tageant said it is important to attend especially, in light of work with Sewer District. Discussion ensued on the progress of unification, and Mayor Spencer provided a brief update on the status of working with

the Sewer District. Councilmember Petershagen added that the Sewer District is potentially looking at some technology expenditures and it would be good to have better information so that City can weigh in on potential expenditures and technology upgrades.

Mayor Spencer suggested scheduling the mid-year retreat on July 2 or July 16 starting around 3:00 p.m. or 3:30 p.m. There was Council consensus to hold the mid-year retreat on July 16, 2019.

Mayor Spencer said the Naval Station Everett State of the Station is on April 11<sup>th</sup> and the City has committed to a table of 8 with confirmed attendance by Councilmembers Petershagen, McDaniel, Daughtry, and Tageant. Councilmember Gailey will let staff know later.

Mayor Spencer said the Council has been asked if it would like to nominate someone to fill a position on the Association of Washington Cities Board of Directors. Council had no volunteers.

Mayor Spencer updated Council on the North Cove Park status and said the South Lake Stevens Road project is moving forward.

#### **City Department Report:**

- Community Development Director Russ Wright: Grant for South Lake Stevens Road Project; Citizen group formed for design of War Memorial; Downtown plan moving forward
- Chief Dyer: Lundeen Park Traffic Study, and 20<sup>th</sup> as well; Canine is back in town
- City Clerk Pugh: Records Disposition

#### **Consent Agenda:**

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Tageant, to approve (B) 2019 Vouchers [Payroll Direct Deposits of \$221,426.45, Payroll Check No. 47317 in the amount of \$1,765.91, Tax Deposits of \$204,376.64, Electronic Funds Transfers (ACH) of \$80,624.20, Claims Check Nos. 47318-47387, 47389-47498 totaling \$953,402.40, Void Check Nos. 47036, 47253, 47070-47271, 47352, 47366 totaling (-\$48,303.45), Total Vouchers Approved: \$1,413,292.15], (C) City Council Regular Meeting Minutes of February 26, 2019 (D) City Council Special Meeting Minutes of March 5, 2019, (E) Ordinance 1052 Amending 2019 Budget, (F) Removed. On vote the motion carried (5-0-0-2).

#### **Public Hearings:**

**Joint Public Hearing with Department of Ecology re Shoreline Management Plan:** Mayor Spencer opened the public hearing.

Planning Manager Machen introduced Chad Yunge from the Department of Ecology, and the team who have assisted with the Shoreline Management Plan (SMP), City Associate Planner Jill Meis, and Mark Daniel from the Watershed Company. He then reviewed why the SMP is being updated and the public process to date.

Mr. Daniel, Watershed Company Consultant, commented on the periodic update report which was completed to determine what items in the master program might need to be updated. He reviewed the process for identifying areas that need updating and then reviewed staff recommendations for updates.

Mayor Spencer invited questions from Council.

Councilmember Daughtry commented he is still reviewing the material. He said the Shoreline Master Program is important and the City needs to be careful on how it moves forward.

Councilmember Tageant is interested in how the proposed overwater structures will look, in comparison to what is currently in place.

Director Wright commented this is a phase in the process, so Council will have more time for review and ask questions.

Responding to Councilmember Petershagen's question, Mr. Daniel said that treated lumber is allowed for pilings but not typically on decking structure. Planning Manager Machen added there is a certified post-treatment program that allows for certain lumber to be placed in water.

Mayor Spencer invited public comment.

Mary Kuehn, 2017 Vernon Road, shared an experience with a neighbor regarding a dock in disrepair. She inquired regarding the process and cost for removing dilapidated structures.

Mayor Spencer responded that staff will work with her if she will return to the City.

Richard Todd, Lake Stevens, commented on the 2010 Shoreline Master Plan, also done with assistance from Watershed Company, and said the plan extended to tributaries including Stitch Creek. He said it is important to acknowledge the breadth and depth of the Shoreline Master Plan.

There being no further public comment, Mayor Spencer closed the public comment portion of the hearing.

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

**SE Island Annexation and Ordinance 1053:** Mayor Spencer opened the public hearing.

Planning Manager Machen presented the staff report and briefly reviewed that earlier in the evening the County and City approved an Interlocal Agreement for the SE Island annexation. He said at this time, staff is requesting that Council move forward with this annexation by holding the public hearing and adopting Ordinance 1053. He then invited questions of Council and there were none.

Mayor Spencer opened the public comment portion of the hearing.

Dan Dziadek, 1516 107<sup>th</sup> Avenue SE, Lake Stevens, commented that he understands the requirements of the Growth Management Act, but he does not believe this annexation process is being fully followed.

Mayor Spencer closed the public comment portion of the hearing and invited additional questions and comments of Council. There being none, Mayor Spencer closed the public hearing.

**MOTION:** Moved by Councilmember Petershagen, seconded by Councilmember McDaniel to adopt Ordinance No. 1053 annexing the properties contained within the Southeast Island Annexation and adopt Comprehensive Plan Designations and Zoning for the annexed parcels, and requiring the assumption of a proportionate share of all existing City indebtedness. On vote the motion carried (5-0-0-2).

**Adrian Annexation and Resolution 2019-09:** Mayor Spencer opened the public hearing.

Planning Manager Machen reviewed the history of this annexation, noting a 60% petition was previously accepted. Snohomish County upon review requested the City expand its annexation area into the ball fields near Centennial Trail and Machias Road. This is an additional three parcels, all of which are adjacent to the Adrian property. With this request, the petition had to be revised to reflect the boundary change and is being brought forward tonight for Council's approval. Planning Manager Machen then responded to Councilmembers' questions.

Councilmember Tageant said he supports this change.

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

Mayor Spencer then closed the public hearing.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Daughtry to approve Resolution 2019-09 accepting the 60 percent Adrian Annexation petition to issue a revised notice of intent to annex and requiring that upon annexation, the simultaneous adoption of land use and zoning designations and requiring the assumption of a proportionate share of existing City indebtedness. On vote the motion carried (5-0-0-2).

#### **ACTION ITEMS:**

**Approve Professional Services Agreement with PACE Engineers re Decant Facility:**

Director Wright presented the staff report, and said the PUD is interested in partnering with the City on this facility. Director Wright and Mayor Spencer responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember Tageant, seconded by Councilmember Gailey to authorize the Mayor to execute a Professional Services Agreement with PACE Engineers, Inc. for the design phase of a Decant Facility in the amount of \$140,300, and a management reserve of \$9,700, for a total of \$150,000. On vote the motion carried (5-0-0-2).

**Approve Ordinance 1051 Amending LSMC Title 7.18 re Tow Truck Businesses:**

Commander Beazizo presented the staff report and said with approval of Ordinance 1051 professional standards for tow operators will be established, and that they will be required to comply with all WAC and RCW requirements, as well as with other requirements, including pricing consistency. Commander Beazizo said that the Tow Rotation Agreement sets out all the legal requirements that must be met in order to be on the tow rotation list for the City, including insurance and pricing requirements. Staff is requesting Council delegate the City signing authority for the Tow Rotation Agreement to the Police Chief. Commander Beazizo then responded to Councilmembers' questions.

**MOTION:** Moved by Councilmember McDaniel, seconded by Councilmember Gailey, to adopt Ordinance 1051 amending LSMC 7.18 – Tow Truck Businesses and to approve the City of Lake Stevens Tow Rotation Agreement, including authorizing the Lake Stevens Police Chief to sign Tow Rotation Agreement forms between the City of Lake Stevens and Tow Operators. On vote the motion carried (5-0-0-2).

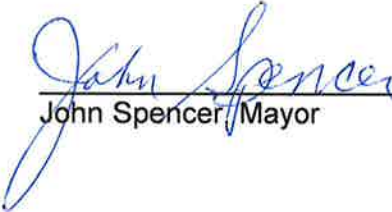
**Discussion Items: None.**

**Executive Session:** Mayor Spencer announced an executive session regarding potential litigation beginning at 8:25 p.m. and lasting approximately 10 minutes, with no action to follow.

The regular meeting reconvened at 8:27 p.m.

**Adjourn:**

Moved by Councilmember Petershagen, seconded by Councilmember Tageant to adjourn the meeting at 8:27 p.m. On vote the motion carried (5-0-0-2).

  
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John Spencer, Mayor

  
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Kathy Pugh, City Clerk