

CITY OF LAKE STEVENS
CITY COUNCIL WORKSHOP MEETING MINUTES
Tuesday, February 4, 2020
Lake Stevens Police Department Training Center
10519 – 18th Street SE, Lake Stevens

- CALL TO ORDER: 7:00 p.m. by Mayor Pro Tem
- ELECTED OFFICIALS PRESENT: Councilmembers Kim Daughtry, Gary Petershagen, Shawn Frederick, Mary Dickinson, Anji Jorstad, Steve Ewing and Marcus Tageant
- ELECTED OFFICIALS ABSENT: Mayor Brett Gailey
- STAFF MEMBERS PRESENT: City Administrator Gene Brazel, Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Human Resources Director Anya Warrington, Human Resources/Risk Manager Julie Good, City Clerk Kathy Pugh, Police Chief John Dyer, Police Commander Ron Brooks, City Engineer Grace Kane

OTHERS:

Mayor Pro Tem Marcus Tageant called the meeting to order at 7:00 p.m. and then led the Pledge of Allegiance.

Resolution 2020-02 re Intent to Condemn-Village Way: Public Works Director Durpos explained that the property owner has requested the city authorize a condemnation of the property used for ingress/egress from the Frontier Village shopping center to Village Way. The area in question was allocated for parking before construction of the Village Way access road. Prior to construction the City obtained a temporary construction easement for the property. The property owner believes it will be helpful in working with its tenant/business owners to revise their leases due in part to a clause in the leases providing that changes to parking will be renegotiated. The goal is to transfer the property that is the subject of the condemnation to the city, thereby making the ingress/egress permanent.

Responding to Councilmember Frederick's question, Director Durpos explained if this does not work, the City would move forward with a condemnation proceeding.

There was consensus to move this resolution to the Consent Agenda.

Zachor Thomas Contract for Prosecutor Services: Police Chief Dyer said that Zachor Thomas provides prosecuting attorney services for the city and has been doing so for some time. He said their contract expired on December 31, 2019, and that staff did not receive notice of their intent to raise fees until after the city's 2020 budget process was completed and approved. Chief Dyer has negotiated a new fee with Zachor Thomas at an 8% increase that is less than what was initially requested in exchange for a longer contract term. The new contract, if approved, would expire on December 31, 2022. The new contract includes a provision

requiring that proposed contract changes be provided to the city by October 1, 2022 so that any increased costs can be included in the budget process. Because of the increased cost of this contract, a budget amendment will be brought forward at a later date. Chief Dyer then responded to Councilmember questions. He noted the contract as currently proposed includes an additional 3% increase in 2021 and a 4% increase in 2022.

There was Council consensus to bring this contract forward for approval on the Consent Agenda.

Sign Code Update: Community Development Director Wright briefly summarized the history of these sign code updates. He said these changes relate to temporary signs, including political signs. Staff looked at what neighboring jurisdictions are doing to be compliant with *Reed v. Town of Gilbert* through MRSC and found that the city's sign sizes adopted in the interim regulations are in line with other jurisdictions. He added that the way other jurisdictions handle duration and number of signs is variable. Director Wright reviewed changes proposed by the City Attorney to the material that was provided earlier to Council in preparation for this meeting.

Staff is looking for direction from Council on size, duration and the number of signs allowed. Director Wright commented the City Attorney believes if there is not a permitting requirement for temporary signs the City would not regulate for duration.

Director Wright noted there are two different size requirements, one for signs in the right of way and the other for signs on private property. The right of way limitation is four square feet.

Councilmember Ewing requested the right of way sign size be changed to four feet by four feet for a total of 16 square feet. Russ clarified 16 square feet is allowed in commercial areas and 4 square feet is allowed in right of way and on private property, which is what most jurisdictions do.

Councilmember Dickinson commented people were confused by the number of signs during the recent election and that those signs did not correlate to names on the ballot. Director Wright responded regulating when signs are put up would be very difficult.

Public Works Director Durpos commented it is very difficult to maintain rights of way and other public property around signage that is put up months before an election.

Councilmember Petershagen clarified there is no interest in requiring a permitting process for signs and that the issues are sign size and where signs can be placed.

Councilmember Tageant clarified there was general agreement that signs sized at four square feet are appropriate for placement in rights of way. He asked if there is interest in 4 x 8 square foot or 4 x 4 square foot signs.

Councilmember Frederick is fine with excluding 4 x 8 square foot signs. He believes the costs of these signs excludes people who may want to run for public office.

Councilmember Tageant asked if a private homeowner should be able to put a 4 x 8 square foot sign on their property. He recalled there has been a lot of discussion around this, including in the last election.

Councilmember Ewing is concerned that some of the sign size discussion is targeted to particular candidates. He believes if a private or commercial private property owner wants to have 4 x 8 signs, they should be allowed to have them, and that regulating sign size more stringently in rights of way is easier to defend based on safety issues.

Director Wright clarified Council's direction is to keep sign size limited to four square feet in rights of way and suggested spacing at five to ten feet can be justified for safety reasons, and there is additional language allowing sign removal if they are defacing public property.

Director Wright then turned to residential and commercial property signage, both of which are private property signage. He said the effort was to mirror the standard that is in the zoning code and that is where the 16 square feet size for commercial signs came from. He commented the number of signs vs. the size of signs has more potential for challenge. Policing would be complaint driven.

Discussion ensued regarding sign size and number of signs allowed on private property. Director Wright clarified that councilmembers support a 32 square foot maximum size on both private residential and commercial property.

Councilmembers commented they would like more public input and guidance regarding sign size on private property, and Director Wright explained there will be a public hearing before the ordinance is adopted.

Discussion then turned to different ways to engage with citizens in a more informal setting than a meeting and creating opportunities for dialogue with the public.

Returning to the agenda, Director Wright noted there are other nonsubstantive changes that will be made to the sign code to provide consistency. These code changes relate only to temporary signs, and there was Council consensus to bring this forward to a public hearing for public comment.

Councilmember Daughtry suggested there are other types of noncommercial signs such as inflatables that need to be considered. Director Wright will bring this forward as well.

2020 Comprehensive Plan Docket: Director Wright reviewed there was discussion about looking at waterfront residential zoning as an isolated topic and any potential code amendments such as limited multi-family uses in this zone. This would be consistent with state law changes requiring cities to look at multi-family uses in all single-family residential zones. He reviewed different ways this can be addressed including keeping the status quo, looking at pockets where higher intensity uses could be zoned, and creating an entirely new zone in the waterfront zone. He noted there will be lots of public interest in this topic including stakeholders such as people who live on waterfront properties and real estate agents.

Councilmember Tageant suggested creating an interest group to study this and provide input. Director Wright said this can be reviewed by the Planning Commission and public input gathered, or an ad hoc committee could be put together and provide recommendations to the Planning Commission. He noted this conversation goes back to at least 2013.

Director Wright said other items that will be part of the 2020 Comprehensive Plan Docket include the Land Use, Capital Facilities and Public Services and Utilities elements and a Map amendment.

There was consensus to bring the docket forward for approval on the next agenda.

Department Overview: Administration/Finance/IT: City Administrator Brazel introduced Anya Warrington, the city's new Human Resources Director. Administrator Brazel said the Police Chief, Public Works Director, Planning & Community Development Director, Human Resources Director, Finance Director, City Clerk and IT Manager all report directly to him. Collectively they are responsible for running the day-to-day operations of the city.

City Clerk Pugh briefly reviewed she is responsible for the management and disposition of city records, oversight of City Council and Boards and Commission meetings and records, public records requests and contract management, and that the Deputy City Clerk assists with this.

Finance Director Stevens said the Finance Department is responsible for strategic planning, fiscal compliance, treasury management and general accounting, and she reviewed the elements of each. She added in addition to herself the Finance Department includes a Senior Accountant, an Accountant, an Accounts Payable Specialist and an Office Assistant, which is a job share position. The Accounts Payable Specialist also serves as the Deputy City Clerk. Director Stevens then briefly reviewed the responsibilities of each position.

IT Manager Troy Stevens provided an overview of the IT Department which is staffed by himself, a Network Administrator and an IT Support Specialist and their respective responsibilities. He briefly reviewed the current structure of the city's network and the projected structure which will be established as part of the new Police Department build out. Manager Stevens then provided an overview of the primary productivity software that the City uses, as well as some of the major projects his department is working on. Manager Stevens encouraged Councilmembers to reach out to him and his department with questions or if they need help with their telephones or computers.

Councilmember Tageant asked that IT look into offering councilmembers an option to use an I-phone or an Android telephone.

There being no further business the meeting was adjourned at 8:22 p.m.


Brett Gailey, Mayor


Kathy Pugh, City Clerk