

CITY OF LAKE STEVENS
CITY COUNCIL REGULAR MEETING MINUTES
Tuesday, February 25, 2020
Lake Stevens School District Educational Services Center
12309 – 22nd Street NE, Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Brett Gailey

ELECTED OFFICIALS PRESENT: Councilmembers Kim Daughtry, Gary Petershagen, Shawn Frederick, Mary Dickinson and Steve Ewing

ELECTED OFFICIALS ABSENT: Councilmembers Marcus Tageant, Anji Jorstad

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, Commander Ron Brooks, Interim Human Resources Director/Risk Manager Julie Good, City Clerk Kathy Pugh, City Attorney Greg Rubstello, Parks Planning and Development Coordinator Jill Meis

OTHERS:

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

Roll Call: Motion by Councilmember Frederick, seconded by Councilmember Dickinson, to excuse Councilmembers Tageant and Jorstad from the meeting. On vote the motion carried (5-0-0-2).

Approval of Agenda: Council Vice President Petershagen noted a correction to the motion for appointment of Planning Commissioners, Todd Welch's term would end December 31, 2020 and Michael Duerr's term would end December 31, 2023. Additionally, Council Vice President Petershagen said the Oath of Office for Veterans Commissioner Boe is removed from the agenda and the Executive Session is moved to immediately following approval of the agenda.

Moved by Councilmember Daughtry, seconded by Councilmember Dickinson, to approve the agenda with the noted changes. On vote the motion carried (5-0-0-2).

Executive Session: At 7:04 p.m. Mayor Gailey announced an executive session for the purpose of discussing collective bargaining with no action to follow and anticipated to last ten minutes. The regular meeting reconvened at 7:14 p.m.

Citizen Comments:

Lucinda Stevens, 2927 – 100th Avenue NE, Lake Stevens, is concerned about safety on Callow Road, and said the new sidewalk has narrowed the road. She requested some sort of safety apparatus on the south side of the road where the shoulder is very narrow.

John Graham, 9017 – 180th Street SE, Snohomish, reminded of his previous request that the Council amend the WATV ordinance to street legal ATV's; he's noticed in the minutes this has not been discussed and requested Council reconsider his request.

Council Business:

- Councilmember Daughtry: Snohomish County Cities for Improved Transportation (SCCIT)
- Councilmember Petershagen: Eagle Ridge Park sign, Sewer Utility Committee
- Councilmember Frederick: Thanked law enforcement officers for their care and dedication.
- Councilmember Dickinson: Historical Society

Mayor's Business: Met with Director Biermann, Director of Snohomish County Department of Emergency Management Services, and the CEO of PUD; Sewer Utility Committee. Mayor Gailey would like to see CERT training offered in the city. Next week travelling to Washington D.C. with Councilmember Tageant and other mayors in U.S. 2 Coalition to meet with legislators regarding funding and will also meet with Director of Local Resources of National Parks Service; Snohomish County Tomorrow.

Councilmember Daughtry said the Veterans Commission explored CERT training and he will bring information back to Council.

Mayor Gailey said the Coalition of Mayors put together a resolution regarding the U.S. 2 Traffic Corridor Safety which they plan to give to legislators when they are in Washington D.C. next week. Mayor Gailey read the resolution for the record and requested a motion approving the resolution.

MOTION: Moved by Councilmember Petershagen, seconded by Councilmember Daughtry, to approve a resolution substantially in the form read by Mayor Gailey, supporting U.S. 2 Traffic Corridor Safety improvements and funding. On vote the motion carried (5-0-0-2).

City Department Report:

- Human Resources Director Anya Warrington: Briefly explained a recent housekeeping update to the Employee Handbook related to maximum vacation accrual.

Consent Agenda:

MOTION: Moved by Councilmember Daughtry, seconded by Councilmember Frederick, to approve:

- A. 2020 Vouchers [Payroll Direct Deposits of \$250,200.57, Payroll Check Nos. 49696-49697 totaling \$3,437.44, Electronic Funds Transfers (ACH) of \$307,725.78, Claims Check Nos. 49698-49788 totaling \$359,948.93, Void Check Nos. 49480 and 49688 totaling \$38.06, Total Vouchers Approved: \$921,274.66];
- B. City Council Regular Meeting Minutes of February 22, 2020;
- C. City Council Workshop Meeting Minutes of February 18, 2020;
- D. Cancellation of March 3, 2020 Workshop Meeting;
- E. Skyhawks Contract;
- F. Park Naming – Wyatt Park to Davies Beach;
- G. Interlocal Agreement with Marysville re Movies in the Park;

- H. Appointment of Michael Duerr (term ending December 31, 2023) and Todd Welch (term ending December 31, 2020) to the Planning Commission;
- I. Ordinance No. 2070 re 2020 Budget Amendment No. 1.

On vote the motion carried (5-0-0-2).

Public Hearing: None.

Action Items:

Lake Stevens War Memorial: Public Works Director Durpos presented the staff report and reviewed the history of relocating the War Memorial in conjunction with the redevelopment of North Cove Park. Director Durpos reminded there was a significant planning effort with the American Legion for this project. The design of the new War Memorial includes construction of a commemorative wall featuring all branches of the military. The City solicited bids and Artistic Concrete was the lowest responsive bidder. It is expected the memorial will be completed in time for this year's Memorial Day events.

MOTION: Moved by Councilmember Daughtry, seconded by Councilmember Frederick, to authorize the Mayor to sign a public works contract with Artistic Concrete to construct the Lake Stevens War Memorial Wall project for the amount not to exceed \$33,500 and to make such nonsubstantive changes as may be necessary. On vote the motion carried (5-0-0-2).

Lake Stevens Farmers Market Proposal: Parks Planning and Development Coordinator Jill Meis presented the staff report and noted Council previously provided direction to move forward with a request for proposal (RFP) for a Farmers Market adjacent to The Mill in North Cove Park. One responsive bid was received from Mockingjay Press. Coordinator Meis said there are two nonsubstantive changes to the proposal; these are not having the market the week immediately prior to Aquafest and updating the site plan. Under the proposal the City would be required to pay some startup costs including software, insurance and membership in the Washington State Farmers Market Association, but it is anticipated these costs would be recouped by the end of the season. Staff is working on a contract with the City Attorney. Coordinator Meis then responded to Councilmembers' questions.

Councilmember Daughtry asked about the vendors, and Coordinator Meis said the vendors are fully vetted by the market manager, including making sure there are not too many vendors in one offering.

Councilmember Daughtry then asked about the proposed food trucks, and Coordinator Meis responded she does not have a number on the food trucks. Councilmember Daughtry said he is not opposed to food trucks, but Council needs to consider legalizing food trucks at some point. Coordinator Meis responded food truck vendors is scheduled on the upcoming retreat agenda, and Director Wright added the Farmers Market will be treated as a Special Event, and food trucks are allowed under the Special Event permit.

Councilmember Ewing asked how many of the proposed vendors are Lake Stevens business owners. He would like to see this incentivized for local business owners. Coordinator Meis said she can work to see that local vendors are utilized wherever possible, but it might be necessary to use other vendors as well. She added that the business owner is a city resident. Councilmember Ewing suggested having flexibility in the vendor offerings so they are more directed to Lake Stevens resident interests would be good.

MAIN MOTION: Moved by Councilmember Daughtry, seconded by Councilmember Dickinson, to authorize the Mayor or designee to enter into a contract with Mockingjay Press for a Farmers Market and to make such nonsubstantive changes as may be necessary.

MOTION: Councilmember Petershagen requested an amendment to reflect that the food truck portion of the contract will be suspended until Council can discuss food truck vendors. Councilmember Frederick seconded the motion to amend the main motion. On vote the motion carried (5-0-0-2).

VOTE ON MAIN MOTION: The main motion as amended carried (5-0-0-2).

Discussion Items:

The Mill – Facilities Use Policy: Coordinator Meis said the Council previously reviewed and provided input on the facility use policy for The Mill. The policy before Council tonight reflects those discussions and includes price, description of the spaces, and requirements for rental and allowed uses. Coordinator Meis noted she received additional feedback to include additional safety requirements, cleaning of rental, expectations of the rental, etc. Staff is reviewing all possible scenarios, and these will be part of the actual contract, which will be brought back for Council approval. The facility use policy sets the general rules. Other items of concern include audio visual equipment and the need to staff the building. Coordinator Meis is requesting Council provide direction regarding recurring rentals, free or reduced rates for community groups, partners and nonprofits, and pricing.

Director Wright added this is a pilot year and it is important to ensure the building is used. The pricing is set at the market rate right now and the discussion is whether to be at the lower or top end of the pricing range. The rates can be adjusted up or down going forward.

Councilmember Daughtry commented there are multiple categories of nonprofit. He reminded the Library previously used the Community Center one day a week for their programming and he is not sure they can continue their programming and pay for facility use; he added he is not interested in asking them to pay. Councilmember Daughtry has talked with Library representatives about facility upkeep. He proposed no cost to the Library for children's programming and suggested for other nonprofits such as Rotary, Lyons and Kiwanis a reduced rate from market rate. Councilmember Daughtry believes the Chamber should pay at market rate because they are not a 503(c) nonprofit corporation.

Councilmember Dickinson agreed with Councilmember Daughtry's comments and said The Mill belongs to the whole community. She added it is important to reinforce the Library's role in the community.

Councilmember Petershagen clarified the Library would use the facility until it relocates. Discussion ensued as to how often the Library offers programming and how far out scheduling would be allowed.

Councilmember Frederick suggested this is a venue belonging to the community and one way to look at reduced rates is to give consideration to community partners having a direct role in positively impacting the community or who are directly aligned in helping the city achieve its goals.

Councilmember Frederick added that use of audio visual equipment has not yet been discussed but use of that equipment could have a significant impact on maintenance costs of the equipment. Mayor Gailey suggested if audio visual equipment is used, the renter would need to pay for staff to run it.

Coordinator Meis commented that time of day is a consideration in scheduling of recurring events such as Library use. The Library would not be using the facility during a peak time and she suggested they could come in on a reduced or free rate at a very specific time, and maybe just in The Stack, leaving other parts of the facility available for use.

Coordinator Meis asked for input from Council on how often recurring events are allowed. She said other facilities have had challenges regarding facilities reserved into perpetuity and suggested limitations for recurring meetings.

Councilmember Ewing hopes the event coordinator can successfully manage the facility so that it is used as often as possible.

Discussion ensued regarding groups that might want to use the facility more than once a month.

City Attorney Rubstello said a classic example of extended multi-use of facilities include church organizations, small clubs, and other smaller organizations that cannot afford a building. He encouraged Council be prepared for this.

Councilmember Daughtry responded Council can be aware of this and has the ability to make exceptions.

Coordinator Meis clarified the concern of allowing rentals into perpetuity is the facility is not then available for other rentals. Director Wright shared the City experience with the Community Center is it was so widely used by the community that the room was not available for City use when needed; this is why staff has pushed hard to keep the Council chambers separate from the rest of the building. Also, rentals into perpetuity can lead to an expectation that the group has control of the facility and this becomes difficult for the City to manage. This is an effort to build in safeguards to allow for a wide variety of functions. Discussion ensued on ways to approach recurring meetings.

Coordinator Meis recommended rentals at once a month for no more than three months in advance to begin with. Director Wright suggested this policy could extend to six months with the City's ability to cancel if necessary.

Councilmember Daughtry suggested the rental policy should be as simplified for staff as possible. He added the policy is generally good.

Councilmember Frederic supports rentals at once a month with no more than a three month in advance reservation. He believes a longer recurring rental and then needing to tell people they cannot use the space is not a good starting point.

Councilmember Ewing supports starting rental rates at the lower end of the range.

Responding to Councilmember Petershagen's question, Coordinator Meis said both the rental rate and damage deposits are indicative of the market, and the rental rate falls in the middle of the market range.

Councilmember Daughtry asked how alcohol will be addressed and recalled Council previously determined The Mill is not part of North Cove Park. Coordinator Meis responded staff will bring back a code amendment addressing alcohol use. Renters will need to obtain a license through the Liquor Control Board and insurance will be required.

Coordinator Meis said this will come back to Council with more detail.

2019 Yearend Financial Summary: Finance Director Barb Stevens explained as part of the financial process the Finance Department provides a yearend financial summary of the previous year once all revenues and expenditures have been accounted for. This is the time when adjustments are made to reflect the final ending balances in the previous year, 2019 in this case, and make adjustments in beginning balances in the 2020 budget. Director Stevens then reviewed the 2019 yearend financial summary and responded to Councilmembers' questions.

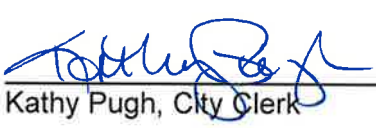
Responding to Councilmember Daughtry's question, Director Warrington reviewed the staff vacancies now being actively recruited.

Adjourn:

Moved by Councilmember Daughtry, seconded by Frederick, to adjourn the meeting at 8:29 p.m. On vote the motion carried (5-0-0-2).



Brett Gailey, Mayor



Kathy Pugh, City Clerk