

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

Tuesday, March 9, 2021
By Remote Participation via Zoom

CALL TO ORDER: 6:00 p.m. by Mayor Brett Gailey

ELECTED OFFICIALS PRESENT: Mayor Brett Gailey, Councilmembers Kim Daughtry, Gary Petershagen, Shawn Frederick, Mary Dickinson, Anji Jorstad, Marcus Tageant and Steve Ewing

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 Anya Warrington, City Clerk Kelly Chelin, Senior Planner David Levitan and City Attorney Greg Rubstello

Call to Order:

The Mayor called the meeting to order at 6:00 p.m.

Pledge of Allegiance:

Mayor Gailey led the Pledge of Allegiance.

Roll Call:

All Councilmembers were present.

Approval of Agenda:

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember Tageant, to approve the agenda. The motion passed 7-0-0-0.

Citizen Comments:

Robin McGee. Ms. McGee stated that she wanted to show support for equity and inclusion training. She believes inclusion is important with the City's diverse population.

Council Business:

Councilmember Tageant stated that he attended the last Parks Board meeting. If anyone has any project ideas for this year, please get them to staff.

Councilmember Dickinson thanked Public Works for the speed limit sign in front of the Senior Center.

Mayor Business:

Mayor Gailey stated that he will be going out with a few Councilmembers to paint over some graffiti in the City. He stated the lake level is low. Lastly, the City of Lake Stevens was ranked 7th safest City in the State.

Joint Public Hearing with Snohomish County Council and Lake Stevens Sewer District Southeast Interlocal Annexation (LUA2020-0117)

At 6:12 p.m., Mayor Gailey welcomed the Snohomish County Council and the Lake Stevens Sewer District. He referenced Lake Stevens' City Ordinance No. 1112, the Sewer District's Resolution No. 996, and Snohomish County's Ordinance No. 21-005, and the SE Interlocal Annexation. He called the joint public hearing to order at 6:13 p.m.

Mayor Gailey provided opening remarks and described the process for the hearing.

All Councilmembers were present along with the Snohomish County Council and Lake Stevens Sewer District Board:

Snohomish County Council – All five members present

Chair Stephanie Wright

Vice-Chair Megan Dunn

Councilmember Jared Mead

Councilmember Nate Nehring

Councilmember Sam Low

Lake Stevens Sewer Commission – All three members present

Dan Lorentzen

Kevin Kosche

Jennifer Stevenson

Senior Planner Levitan and Eileen Canola, Snohomish County Senior Planner, provided a PowerPoint presentation and spoke, in detail, about the City of Lake Stevens' Southeast Annexation.

Senior Planner Levitan explained the process for the evening. He responded to questions from Councilmembers and Commissioners.

At 6:40 p.m., Mayor Gailey opened the hearing for public comments.

The following residents spoke to the annexation:

- Sally Jo Sebring, 1023 99th Avenue SE, Lake Stevens, Washington 98258, provided comments in opposition.
- Tom Matlack, provided comments in opposition.
- Kate MacKenzie, provided comments in support.
- Michael Jones, provided comments in opposition.
- Garrett Welch, provided comments in opposition.
- Janice Huxford, provided comments in opposition.
- Stu (*no last name provided*). After multiple attempts, Stu was unable to connect and Mayor Gailey suggested he email comments to the City of Lake Stevens.

Mayor Gailey closed the public comment portion of the meeting at 7:00 p.m.

Senior Planner Levitan provided additional information and lengthy discussion ensued between City and County Councilmembers, Sewer Board, Police Department, and staff. Staff responded

to various questions, including questions related to police department staffing, FCS report, notification process, population, review process, needs, and methods of annexations.

Snohomish County Councilmember Low read a disclosure that explained his wife is the General Manager for the Lake Stevens Sewer District. In appearance of fairness and potential conflicts he stated he will be abstaining from the vote and any deliberations on this matter.

Discussion ensued regarding options and possibilities of proceeding with an advisory vote method annexation. The general consensus of the three bodies was that continued conversation is necessary to evaluate the next step in the process and to determine the best ways of moving forward.

Responding to Lake Stevens Councilmember Petershagen, City Attorney Greg Rubstello stated he will need to do some research to verify if the City has authority to call for an advisory vote, as that might be something the County has to do.

County Council Chair Wright and Councilmembers offered comments and discussed the option of an advisory vote and rescheduling the hearing to a later date.

Snohomish County Council Clerk read the County Ordinance title into the record: Ordinance 21-005, approving and authorizing the County Executive to sign an Interlocal Agreement Between Snohomish County, the City of Lake Stevens, and the Lake Stevens Sewer District for the Southeast Interlocal Annexation.

Mayor Gailey closed the public hearing at 7:58 p.m.

MOTION. Councilmember Dickinson made a motion, seconded by Councilmember Petershagen, to move forward with an advisory vote and continue dialogue with the public.

Councilmember Jorstad provided a friendly amendment to the motion to continue to work with the County Council to pursue an advisory vote and to get advice from legal counsel on how best to proceed. Councilmember Dickinson agreed with the friendly amendment.

AMENDMENT TO THE MOTION. Councilmember Petershagen made an amendment to the motion, seconded by Councilmember Jorstad, to bring the advisory vote to the primary election in August 2021. The amendment passed 7-0-0-0.

ORIGINAL MOTION AS AMENDED: The motion passed 7-0-0-0.

COUNTY MOTION. Snohomish County Vice-Chair Dunn made a motion to move Ordinance No. 21-005 to a future Council Committee of the Whole and to schedule a future hearing date. Councilmember Mead seconded the motion. The motion passed 4-0-1 with Councilmember Low abstaining.

Lake Stevens Sewer Board President Lorentzen read the Sewer Board Resolution title into the record: Resolution No. 996, by the Board of Commissioners for the Lake Stevens Sewer District in Snohomish County, Washington. It would be formalizing the support for the southeast interlocal agreement pursuant to the Revised Code of Washington 35A.14.296

SEWER DISTRICT MOTION. Commissioner Kosche made a motion to continue deliberations on Resolution 996 to coincide with our City partners, both City and Council [County] as they continue their deliberations. Commissioner Stevenson seconded the motion. The motion passed unanimously.

Mayor Gailey adjourned the joint public hearing at 8:15 p.m.

Consent Agenda:

MOTION: Councilmember Daughtry made a motion, seconded by Councilmember Ewing, to approve the consent agenda. The motion passed 7-0-0-0.

The consent agenda included the following:

- Vouchers
- City Council Special/Retreat Meeting Minutes of January 29-30, 2021
- City Council Meeting Minutes of February 16, 2021
- City Council Meeting Minutes of February 23, 2021
- Interlocal Agreement with Snohomish County for Jail Services
- Lake Stevens City Council Regular Meeting Agenda March 9, 2021
- Extension of the Interlocal Agreement with Snohomish County for Emergency Management Services
- Appoint Three Park Board Members
- Possession and use Agreement with Siegel (79th Ave SE Project)
- Possession and use Agreement with Tozer (79th Ave SE Project)
- United States Marshals Service Fugitive Task Force Memorandum of Understanding

Executive Session:

The meeting recessed to executive session to discuss Property Acquisition per RCW 42.30.110 (1) (c) and Collective Bargaining at 8:18 p.m. for approximately 15 minutes.

At 8:33 p.m., the executive session was extended to 8:38 p.m.

The meeting reconvened to regular session at 8:38 p.m.

Action Items:

MOTION. Councilmember Ewing made a motion, seconded by Councilmember Tageant, to authorize the Mayor to sign the 2021-2023 Collective Bargaining Agreement between the City and the Police Guild. The motion passed 7-0-0-0.

Adjourn:

MOTION. Councilmember Ewing made a motion, seconded by Councilmember Tageant, to adjourn the meeting at 8:39 p.m. The motion passed 7-0-0-0.


Brett Gailey, Mayor


Kelly M. Chelin, City Clerk