

CITY OF LAKE STEVENS
CITY COUNCIL REGULAR MEETING MINUTES
Tuesday, May 11, 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:

Mayor Gailey noted that in executive session regarding personnel needs to be added to the end of the meeting and on the Action Items, 2021-2023 On-Call Tree Removal Services, will be moved to the consent agenda.

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

MOTION. Councilmember Dickinson made a motion, seconded by Councilmember Jorstad, to add the DEIA Commission discussion to tonight's agenda as a discussion item. The motion passed 7-0-0-0.

Citizen Comments:

Tory Horsman. Ms. Horsman stated she was in support of the DEIA Commission.

Jessica Wadham. Ms. Wadham echoed Tory's comments. She appreciated this discussion being added to the agenda tonight.

Kari Johnson. Ms. Johnson also spoke in support of the DEIA Commission.

Lindsay Price. Ms. Price stated that this DEIA Commission is important.

Stephanie Ruiz. Ms. Ruiz stated that she supported the DEIA Commission.

Vildan Kirby. Ms. Kirby said she loved seeing the City leading this way with a Diversity Commission.

Robin McGee. Ms. McGee thanked the Council for considering a DEIA Commission.

Nina, Ph.D. Nina stated that she supports the DEIA Commission.

Council Business:

Councilmember Petershagen attended the last Planning Commission Meeting. He stated that Council filing week is next week.

Councilmember Ewing attended the last Planning Commission Meeting. He thanked Jerry Stumbaugh from the Senior Center. He stated that the City needs to continue the advocacy for the seniors.

Councilmember Dickinson thanked the churches for the help with moving the museum over. She also thanked City Engineer Grace Kane for all of her dedicated service to the City.

Councilmember Frederick stated that he attended the last Veterans Commission meeting and the Commission will be holding off on Coffee Klatches until they can be in person.

Councilmember Jorstad attended the Snohomish Health Board meeting this afternoon. She said the meeting was very informative and the District is doing great work. Lastly, there are plenty of vaccines available.

Councilmember Tageant attended the last Veterans Commission and Park Board meeting. The Park Board has great ideas for parks this year.

Councilmember Daughtry stated that he attended the Veterans War Memorial Board meeting with the Mayor. He also acknowledged Emma Miner, a Youth Council member that was in attendance.

Mayor Business:

Mayor Gailey stated he is still meeting with the Volunteers of America about a resource center. He thanked staff for all their hard work on City projects.

City Department Report:

Finance Update – Barb Stevens, Finance Director

Guest Business:

Legislative Update – Doug Levy, Lobbyist

Consent Agenda:

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

The consent agenda included the following:

- Vouchers
- Council Meeting Minutes of April 27, 2021
- Facilities Use Agreement with Row Club

- 2021-2023 On-Call Tree Removal Services

Public Hearing:

Ordinance 1118 Adoption of SEPA Flexible Thresholds

Planning Manager Levitan explained that the State Environmental Policy Act (SEPA) evaluates potential environmental impacts associated with governmental decisions such as building permits, land use applications, and code amendments. Certain projects and processes are exempt from SEPA environmental review under the categorical exemptions listed in WAC 197-11-800. WAC 197-11-800(1)(b) establishes the standard categorical exemption thresholds for minor new construction, while WAC 197-11-800(1)(d) establishes maximum flexible thresholds that cities may adopt for minor new construction through a local ordinance that meets the procedural requirements of WAC 197-11-800(1)(c).

The City of Lake Stevens is an incorporated city within Snohomish County, which is a fully planning Growth Management Act (GMA) county. The city is proposing to amend LSMC 16.04.050 to adopt flexible categorical exemption thresholds for minor new construction (LUA2021-0033). On April 21, 2021, the Planning Commission held a public hearing to make a recommendation to City Council on the proposed thresholds, as required for Type VI legislative land use applications. This followed Commission work sessions on October 21 and December 2, 2020 and January 20 and March 3, 2021 as well as a City Council work session on February 16, 2021.

During the public comment portion of the April 21 public hearing, the Master Builders Association of King and Snohomish County expressed support for the adoption of flexible thresholds but requested that the city adopt the maximum thresholds for single-family and multi-family residential development (see Attachment 3 for written comments that reflect oral testimony). After considering these higher residential thresholds, the Commission made a unanimous recommendation to amend LSMC 16.04.050 with the thresholds below.

Table 1 – SEPA Thresholds for Minor New Construction	Current Thresholds	Maximum Thresholds	April 21 PC Recommendation
Development Type			
Single-Family	4 units	30 units	15 units
Multi-Family	4 units	60 units	30 units
Agricultural	10,000 sf	40,000 sf	10,000 sf
Commercial	4,000 sf	30,000 sf	30,000 sf
Parking	20 spaces	90 spaces	90 spaces
Grading	100 cubic yards	1,000 cubic yards	1,000 cubic yards

Mayor Gailey opened the public hearing for public comment.

Stephanie Ruiz. Ms. Ruiz asked a question about the thresholds.

Kari Johnson. Ms. Johnson asked the City to clarify for the public what a threshold means.

Tory Horsman. Ms. Horsman stated she would like to know more about this.

Mayor Gailey closed the public comment portion of the hearing.

Staff and Council engaged in a discussion.

Mayor Gailey closed the public hearing at 7:44 p.m.

MOTION. Councilmember Petershagen made a motion, seconded by Councilmember Tageant, to adopt Ordinance 1118 Adoption of SEPA Flexible Thresholds with two changes: Single-Family at 30 units and Multi-Family at 60 units and stay with the grading and parking as recommended. The motion passed 5-2-0-0 with Councilmember Dickinson and Councilmember Jorstad opposed.

Action Items:

Revised Ordinance 1112 for Southeast Interlocal Annexation

Planning Manager Levitan explained that following the City Council's approval of Ordinance 1112, both the Sewer District Board and County Council took actions to approve the ILA. However, given the time that elapsed between the joint public hearing (March 9) and County Council approval (April 28), and the fact that the proposed annexation is still subject to a 45 day review by the Snohomish County Boundary Review Board (BRB), the effective date of the annexation identified in Ordinance 1112 (May 28, 2021) needs to be revised. Staff from the three agencies have agreed upon a revised effective date of July 16, 2021, which was incorporated into the approval of County Ordinance 21-005. City staff has revised Section 2 of Ordinance 1112 and Section 3.5 of the ILA to reflect a new effective date of July 16, 2021.

He explained that staff is recommending that City Council adopt revised Ordinance 1112 authorizing the Mayor to sign the Interlocal Agreement for the Southeast Interlocal Annexation (LUA2020-0117) with a new effective date of July 16, 2021. Once the ILA is signed by all three parties, the annexation will be submitted to the Snohomish County Boundary Review Board.

MOTION. Councilmember Jorstad made a motion, seconded by Councilmember Daughtry, to approve revised Ordinance 1112 for the Southeast Interlocal Annexation and amending the date. The motion passed 7-0-0-0.

Discussion Items:

Added to tonight's agenda – Diversity Commission

Council and staff engaged in a discussion about a Diversity Commission vs a DEIA Commission. Mayor Gailey will bring a recommendation back to the Council soon.

Recess to Executive Session:

The meeting recessed to executive session at 8:04 p.m. to discuss a personnel matter for approximately 15 minutes. There will be no action.

The meeting reconvened to regular session at 8:19 p.m.

Adjournment:

MOTION. Councilmember Daughtry made a motion, seconded by Councilmember Jorstad, to adjourn the meeting. The motion passed 7-0-0-0. The meeting adjourned at 8:21 p.m.


Brett Gailey, Mayor


Kelly M. Cholin, City Clerk