

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

Monday, June 24, 2013

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

CALL TO ORDER: 7:00 p.m. by Mayor Pro Tem John Spencer

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Marcus Tageant, Neal Dooley and John Spencer

COUNCILMEMBERS ABSENT: Mayor Vern Little

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director Barb Stevens, Public Works Director Mick Monken, Human Resource Director Steve Edin, Interim Police Chief Dan Lorentzen, and City Clerk/Admin. Asst. Norma Scott

OTHERS: William Tackitt, Jeff Gray, Josh Herschlip, Samuel Low

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**Guest Business.** William Tackitt, 12009 North Lakeshore Drive, commented as follows: purchased two single-family homes on 83<sup>rd</sup> Avenue, demolished the houses and rebuilt on the same footprint, and paid for sewer since there was no sewer hookup. The purchase closed in October and when submitted building permits he was told it has wetlands. Homes were unoccupied for five years and water from catch basins dumped onto this property. Twenty-seven houses drained onto his lots. PUD would not bring in a power pedestal because of the wetlands. Homes are ready to be occupied but do not have power. There are 39 lines going across the property and requests to hook to the line that was used for the original houses. Have dedicated 10 feet of right-of-way to the City and paid mitigation fees.

Josh Herschlip, 12009 N. Lakeshore Drive, noted the project has been costly and behind schedule with unforeseen costs. Mr. Herschlip is asking for overhead power. The line hook up is right there. In the future if everyone switches to underground, he would be willing to do so, but is asking for an exception now. The houses were run down and their project made significant changes to the area.

Jeff Gray, 3511 Glacier Park Avenue, Everett, commented the City said if the building is in the same footprint there are no problems, then the wetland issue came up. Jeff Holt, from the PUD, drew a sketch of overhead not knowing if the City would allow. The PUD then said they would not go through the wetlands. The owners are under a time crunch with the bank.

Samuel Low, 8409 4<sup>th</sup> Place SE, commented he lives in this neighborhood and these homes were truly drug houses. Thanked the developers for beautifying his neighborhood. He hopes Council can find a way to allow them hook up to overhead power.

**Consent Agenda.** Councilmember Daughtry moved to approve the Consent Agenda (A. Approve June vouchers [Payroll Direct Deposits 907351-907406 for \$126,648.89; Payroll Checks 35283 for \$2,463.37; Electronic Funds Transfers 607-311 for \$15,961.26; Claims

35284-35351 for \$229,798.20; Tax Deposit 6.14.13 for \$50,640.84 for total vouchers approved of \$425,512.56]8; B. Approve Council regular meeting minutes of June 10, 2013; C. Authorize Interlocal Agreement for Furnishing Equipment Maintenance/Repair Service with Snohomish County for cooperative purchasing; D. Authorize bid award and contract to innovative Door Solution Inc. for City Library ADA door; and E. Approve Master Contracts Usage Agreement (MCUA) with the State of Washington), seconded by Councilmember Tageant; motion carried unanimously. (7-0-0-0)

**Feldman & Lee public defender contract amendment.** City Administrator Berg noted the City has contracted with them since 2007 when the City went out for a Request for Proposals (RFP). Last November the City did an extension of the contract because of expected changes in the case load standard. With the caseload standard now set and with recent changes in the firm, Mr. Feldman has agreed to extend the contract to August 31 which allows the cities of Lake Stevens, Arlington, and Marysville to go out for an RFP.

**MOTION:** Councilmember Welch moved to approve the amendment for contract with Feldman and Lee to August 31, seconded by Councilmember Daughtry; motion carried unanimously. (7-0-0-0)

**Request to Council to waive underground code requirements on 83<sup>rd</sup> Avenue.** Public Works Director Monken reported the PUD is getting ready to submit plans to the City. Mr. Monken reviewed the process. There were critical wetlands on the property as identified by Snohomish County prior to annexation. The drainage course had been filled in on the property by a prior property owner and plugged up. The current owners requested a waiver of frontage improvements and undergrounding of power. The frontage improvements were waived with the dedication of 10 feet of right-of-way. The owners were informed there are no exemptions for having power remain overhead which were made a condition of the building permits. They had 21 days to protest/appeal and they didn't. PUD was contacted by the City who said that they have no issue with undergrounding from either side of the street and that both were feasible. Mr. Gray requested a pole on his side of the street be relocated two feet from its current location which would allow for the drop to be performed on his side of the street. This was approved by the City provided that no additional poles would be installed and no new overheads or guides would be installed. Mr. Gray requested a hardship waiver which staff is not allowed to grant. If Council wishes to consider an exemption for hardship, it would require a code amendment which would require about 60 days to process. Power is available and the question is the cost. The permits were issued in February and June 10 the applicant requested a hardship waiver on power.

William Tackitt commented that on an old map there was drainage about 200 feet back which they inherited and a broken pipe shooting water onto the front of their property.

Mr. Monken commented that after a recent discussion with the PUD they would allow undergrounding, but the developer's request is for overhead. It appears that undergrounding will work for the PUD and developer.

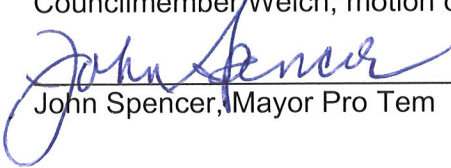
Councilmember Spencer suggested looking at a temporary occupancy if undergrounding works.

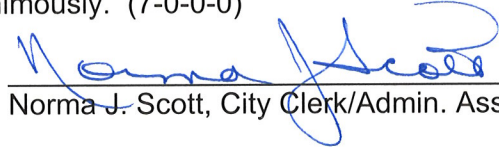
Planning Director Ableman noted the City allows undergrounding through wetlands.

**Council Person's Business:** Councilmembers reported on the following meetings: Welch – Arts Commission is sponsoring a movie in the park; Dooley – attended Sewer meeting where they reviewed sewer planning issues with the City as lead; and Daughtry – Economic Development Committee and SCCIT discussed the Transportation Package.

**Staff Reports:** Staff reported on the following: City Administrator Berg – Transportation Package; Planning Director Ableman – Park Board meeting tomorrow and Ironman update; Public Works Director Monken – held first open house educational meeting on phosphorus and will have follow up meetings, 20<sup>th</sup> Street sidewalk out to bid and to Council at the July 8 meeting, update on asphalt overlay, and received two grants for school safety; and Interim Police Chief Lorentzen – participated in safety fair, posting collision reports online which will make more public records available to the public, and working on accreditation.

**Adjourn.** Councilmember Tageant moved to adjourn at 8:15 p.m., seconded by Councilmember Welch; motion carried unanimously. (7-0-0-0)

  
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John Spencer, Mayor Pro Tem

  
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Norma J. Scott, City Clerk/Admin. Asst.