

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

Monday, September 23, 2013
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Vern Little

COUNCILMEMBERS PRESENT: Kathy Holder, Kim Daughtry, Marcus Tageant, and Neal Dooley

COUNCILMEMBERS ABSENT: Todd Welch, Suzanne Quigley and John Spencer

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, Senior Planner Russ Wright, Interim Police Chief Dan Lorentzen, Interim Commander Craig Valvick, Officer Jim Barnes, Sergeant Bob Summers, and Receptionist/Office Assistant Carin Hinman

OTHERS: Samuel Low and Mark Murphy from Department of Emergency Management

Excused Absence. Councilmember Holder moved to excuse Councilmember's Spencer, Quigley and Welch, seconded by Councilmember Tageant; motion carried unanimously. (4-0-0-3)

Guest Business. None

Consent Agenda. Councilmember Dooley moved to approve the Consent Agenda (A. Approve September vouchers [Payroll Direct Deposits 907704-907758 for \$130,329.44; Payroll Checks 35694-35696 for \$3,197.14; Electronic Funds Transfers 641-643 for \$3,750.71; Claims 35692, 35693, 35697 – 35750 for \$107,725.61; Void Checks 35695, 35679, and 35652 for (\$2,297.49); Tax Deposit(s) 9/13/2013 for \$53,355.10 for Total Vouchers approved \$296,060.51], and B. Approve Council regular meeting minutes of September 9, 2013 with spelling correction of 'ridged' to 'rigid' on Page 1 and show Steven Edin as not present at the September 9, 2013 Council meeting) seconded by Councilmember Daughtry; motion carried unanimously. (4-0-0-3)

Public Hearing – to receive public testimony related to Ordinance No. 900 (adopted August 12, 2013), recreational marijuana moratorium. Mayor Little read the public hearing procedure.

MOTION: Councilmember Daughtry moved to open the Public Hearing (Public Portion), seconded by Councilmember Dooley; motion carried unanimously. (4-0-0-3)

Senior Planner Wright summarized the six month moratorium prohibiting the establishment, permitting, licensing and operating, cultivation, production and retail sales of marijuana within the City of Lake Stevens as the City does not have regulations in place to govern marijuana facilities, permitting and licensing. Deputy Attorney General James Cole issued a memorandum August 29, 2013 to outline Federal guidance on marijuana enforcement priorities. These priorities do not change Federal law but implies that marijuana businesses abide by State regulations that conform to the Federal enforcement priorities and may not be subject to Federal prosecution. The Washington State Liquor Control Board released draft regulations that outline rules for licensing the production, processing and sales of marijuana and marijuana products. The City Council will consider Resolution No. 2013-XX to adopt additional findings and a work program after this Public Hearing which will require Planning Commission review, public hearings and recommendation to the City Council.

Public comments: None

MOTION: Councilmember Daughtry moved to close the public comment portion of the hearing, seconded by Councilmember Tageant; motion carried unanimously. (4-0-0-3)

MOTION: Councilmember Tageant moved to close public hearing, seconded by Councilmember Daughtry; motion carried unanimously. (4-0-0-3)

Adopt Resolution No. 2013-9, temporarily prohibiting marijuana facilities in the City of Lake Stevens. Senior Planner Wright clarified that the moratorium is up in February 2014 and State Government will finalize the rules. The Resolution is to adopt additional findings of fact and to establish a work plan.

MOTION: Councilmember Daughtry moved to adopt Resolution No. 2013-9, temporarily prohibiting marijuana facilities, seconded by Councilmember Holder; motion carried unanimously. (4-0-0-3)

Adopt Resolution No. 2013-8, statement of intent to participate in dispute resolution processes pursuant to Countywide Planning Policy JP-2. Planning Director Ableman stated Resolution No. 2013-8 intent is to participate in Snohomish County Tomorrow's Dispute Resolution pilot program should a jurisdiction need it. It was brought to the elected officials at the steering committee and all jurisdictions were asked to bring this Resolution before their Council. Mayor Little noted that he and Planning Director Ableman have participated in developing this dispute resolution with mediators from many other Cities to resolve issues at county wide planning policy level before it gets into the Courts. Councilmember Holder noted in the Resolution itself the word 'medication' should be corrected to 'mediation' in the WHEREAS clause.

MOTION: Councilmember Dooley moved to adopt Resolution No. 2013-8 statement of intent to participate in dispute resolution processes pursuant to Countywide Planning Policy JP-2, seconded by Councilmember Holder; motion carried unanimously. (4-0-0-3)

Fairbrook final plat approval. Senior Planner Wright asked the Council to accept the plat of Fairbrook and their right-of-way dedication. Fairbrook is a plat of 24 new single-family homes on an approximately 5 acre lot. This project began in Snohomish County and received preliminary plat approval with the County. Construction approval came through the City and

Fairbrook has fulfilled the required improvements. This is the last phase before they can record the project and make legal lots for sale and development.

MOTION: Councilmember Tageant moved to approve the final plat of Fairbrook, seconded by Councilmember Daughtry; motion carried unanimously. (4-0-0-3)

Adopt Resolution No. 2013-7, honorary street names policy and process – City Policy No.

P-1-2013. Planning Director Ableman reviewed the revised policy for honorary street designations. The cost for signs will be taken on by the City and need to be included in the annual budget. Councilmember Daughtry suggested that the five year review be deleted unless there's an issue of replacement signs. Planning Director Ableman requested it to be reworded to "Street designations will be permanently displayed unless otherwise directed by Council" and Council concurred.

MOTION: Councilmember Tageant moved to adopt Resolution No. 2013-7 honorary street names policy and process – City Policy No. P-1-2013 with changes as noted, seconded by Councilmember Holder; motion carried unanimously. (4-0-0-3)

Comprehensive Emergency Management Plan (CEMP) discussion: Interim Police

Commander Valvick reported that they are working on getting a Sewer District representative to join the CEMP Design Team. Commander Valvick was questioned by Councilmember Tageant about the two emergency support command vehicles and he stated they are part of the CEMP. Also reported was the Emergency Operations Center at the Lake Stevens School Administration building (Council Chambers) is a good location as Police, Public Works and the Fire Department are all nearby. The EOC will be equipped with a generator and data ports that will help in an emergency when radios and cell phones are overloaded. A secondary Emergency Center would be located at the Fire District building near Tom Thumb also implementing data ports. Officer Barnes reviewed the purpose for CEMP is to provide framework for coordinated response to emergencies working together with public and private organizations and how this will be implemented.

Council Person's Business: Councilmember's reported on the following: Daughtry - worked with the Governor's office on a transportation only special session to attempt to get a transportation finance package through by the end of the year, bus tour with the Senate Transportation Committee that went very well, Senate Transportation open house and met with a high end business recruitment group discussing economic development.

Mayor's Business: Mayor Little also reported on the bus tour noting that the debate in Olympia will be for reforms as well as the transportation package and funding, met with the County to discuss 20th Street S.E., attended with City Administrator Berg a Rotary Club meeting, local service clubs are working to regenerate the Skate Park, attended Civil Service Commission interviews with HR Director Edin and attended North County Mayor's meeting.

Staff Reports: Staff reported on the following meetings: City Administrator Berg – transcripts of the conversation with the business recruitment group will be available to the public and Council and there will also be a debriefing with the economic development committee, working with Rotary and Councilmember Somers to update the Skate Park master plan for 2014, Police Chief

candidates still moving forward; Planning Director Ableman – Park Board open house tomorrow night to review the recent park survey, and there will be business recruitment follow up tours and meetings; Finance Director Stevens - Budget process is moving forward, Council Workshop next Monday with budget presentation, State Auditors are here auditing 2011-2012; Public Works Director Monken – Main Street overlay delay should be completed by Friday or Saturday. 20th Street N.E. sidewalks may take 4 weeks; Interim Police Chief Lorentzen – two new officers to attend the Academy, robbery at Lake Connor Grocery with good police work the robbers were apprehended and are in custody; Human Resource Director Edin – Permit Specialist Jackie Eilert is retiring September 27th and has begun the recruiting process for that position and oral boards for Police Officers.

Executive Session: At 7:50 p.m. Mayor Little called for a ten minute executive session which began at 7:55 on litigation and ended at 8:02 p.m.

Adjourn: Councilmember Daughtry moved to adjourn at 8:02 p.m., seconded by Councilmember Dooley; motion carried unanimously. (4-0-0-3)



Vern Little, Mayor



Carin Hinman, Receptionist/Office Assistant