

MARYSVILLE CITY COUNCIL MINUTES

00065

May 8, 1989

7:30 p.m.

Council Chambers

PRESENT: Rita Matheny, Mayor
Councilmembers:
Ken Baxter, Mayor ProTem
Mel Schank
Dave Weiser
Bill Roberts
Larry Hots
Bob Lashua
Lee Cundiff
Administrative Staff:
John Garner, City Administrator
Mike Corcoran, City Planner
Jim Ballew, Parks & Recreation Supt.
Jim Allendoerfer, City Attorney
Gloria Hirashima, Associate Planner
Dave Zabell, Public Works Director
Phil Dexter, Finance Director
Doug Ronning, Fire Chief
Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 p.m. and led the flag salute.

ROLL CALL:

Finance Director Dexter called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Schank noted in the May 1, 1989 minutes that on page 2, first paragraph, in the last sentence, the word "not" should be "no".

Councilor Schank moved that the minutes of the 5/1/89 meeting be approved as corrected. Councilor Hots seconded and the motion passed unanimously.

AUDIENCE PARTICIPATION FOR NON AGENDA ITEMS: None.

PRESENTATIONS: None.

PETITIONS & COMMUNICATIONS:

1. Association of Snohomish County Cities & Towns meeting announcement.

PUBLIC HEARINGS:

1. Fraser Annexation and establish zoning classification of RMM with a Mobile Home Park Overlay for newly annexed area (PA 8808048) - continued from 4/10/89 Meeting
Location: 16.3 acre parcel lying west of 67th Ave. NE opposite Cedarcrest Golf Course. The NE corner of the property is near the intersection of 67th Ave. NE & 84th St. NE
Owner: Robert D. & Eleanore M. Fraser
Applicant: Bernard Sigler

City Planner Corcoran presented a larger drawing of Cedarcrest Vista to the Council. He explained that this is a portion of the Fraser Annexation with a rezone to multifamily with mobile home park overlay condition. 75% Petition has been submitted with previous hearing in front of City Council 4/10/89, he said and added that they did not meet the 10% parks and open space

requirement at that time. They have now moved the entrance, deleted Lot 1 for a sports court, RV storage has been realigned, deleted two lots to the west plus the manager's lot to allow for a fountain and pond and they have redesigned to allow for two additional lots in the westerly portion of the pod. City Planner Corcoran noted that the applicant is now proposing 67,650 square feet of open space now and he gave other specs pertaining to the home sites, buffer, perimeter, etc.

Bernie Sigler, 5431 138th Pl. SW, Edmonds, addressed the Council and said that as a result of the last hearing, they directed Entranco Engineering to redesign the project. It has been tightened up in the corners, he said, and the RV storage area has been redesigned in order to allow 67,500 sq.ft. of open space, which is almost 5% greater than the City's requirement, he noted. He said they have also added a water fountain, pond and sports court and feel it's absolutely in compliance with the MMC.

Councilor Roberts expressed a concern with regard to the project not meeting requirements pertaining to lot coverage and he quoted from page 516 of the MMC with regard to standards for design and lot coverage; lot coverage to be a maximum of 45%. He said it looked to him from the plans that the lot coverage is at least 60% and in some cases (Lots 79 & 86)--80% coverage and he added that he thought the ordinance was designed to have more open space on each of the lots.

Mr. Sigler said he would like Wendell to address that, but to his knowledge it is within compliance; that he has been working with two mobile home builders in addition to the engineers.

Councilor Roberts pointed out that at Glenwood, they have a lot of grass area in front and behind each mobile home and that he feels it is the purpose of the ordinance to have 60-65% in grass area. He said he came up with a lot area of 4500 sq. ft. and 60% of that is taken up with the mobile home. The other issue is set backs, he said, and elevations show the 5' set back is to be used as a drainage swale. With regard to sidewalks and walkways, he continued, under (j), page 516 of the MMC, pedestrian walkways are to be surfaced and lit and he said he didn't see any sidewalk provision. He added that he feels mobile homes need to have more aesthetics because of their general nature, such as fencing, sidewalks, landscaping trees.

Councilor Cundiff asked how many property owners were represented by the 75% Petition and Mr. Sigler answered one.

Councilor Cundiff asked about the results of the traffic study in terms of 67th and Mr. Sigler said Wendell Johnson would address that issue.

Councilor Cundiff asked if it was to be an adult park and Mr. Sigler said yes.

Councilor Weiser noted that the MMC also required that open space be located in the center of the development.

Mr. Sigler explained that they have tried to provide for a very positive entrance with interior areas to be also recreational and they have elected to have irrigation. He added that they don't feel they are precluding the people from using the recreation areas at all.

City Attorney Allendoerfer noted that the original request was for 88 units and Mr. Sigler stated that the revised request is for 86 units plus the manager's unit, with 5.8 du/acre density.

City Attorney Allendoerfer asked about half street improvements on 67th and Mr. Sigler stated they would add a third lane with turning arrangement on 67th and said that completing the street on the west side frontage as well as participating in any future MRIP was already covered in previous meetings. He noted that they had asked not to have to put sidewalks in until such time as they go in to the north and south and that they would maintain lawn until that time.

Councilor Roberts noted that the school district is asking for the same deferment and City Attorney Allendoerfer said that deferring it would be a variance so would need a special request. He added that TIP #2 for 47th & 528 and 67th & 528 has been formed and asked the applicant if he is willing to contribute their proportionate share. Mr. Sigler said yes, they would.

Wendell Johnson of Entranco Engineers addressed the Council and said that the original traffic study only took into consideration this project and not other future developments. He said they studied some intersections and noted levels of service D & E but with the TIPS, they would meet the requirements for traffic mitigation. He added they are agreeable to any fair share basis mitigation program necessary.

Councilor Roberts noted there are a lot of ways to base "fair share" and City Attorney Allendoerfer stated that the basis of the TIPS will be on a per trip basis/trip generation.

Mr. Johnson said they would be agreeable to that. As far as lot coverage, he said it is his understanding this is a preliminary plan and still subject to a survey.

City Attorney Allendoerfer said, yes, it is a two-step process.

Mr. Johnson said that according to his calculations, there is 40% coverage of the home sites and further, the ordinance must be complied with on the final hearing for approval. He noted that some of the units have been made smaller.

Councilor Roberts pointed out that their typical plan looks more like 60-70% coverage which is a significant amount of difference and would have a significant impact on the overall design.

Mr. Johnson said that they have 15 acres and are confident that they will comply with the lot coverage ordinance.

Councilor Roberts suggested that without carports and by using some single wide units, they could accomplish the 45% coverage but Mr. Johnson stated that they are intending to have carports, double wide units and storage sheds on each lot.

Councilor Roberts said approval of this project with still so many revisions to be made is like signing a blank check and there was discussion regarding the possible outcome of the survey --how the plan would be revised and City Planner Corcoran pointed out that it has to meet all the codes and ordinance and may end up with less units/lots.

Councilor Roberts said that he has enough confidence in staff to make sure it comes back before Council if there is a major change; just a lower number of units wouldn't be a "major change."

City Planner Corcoran explained that there are a variety of mobile homes with a variety of sizes and the width and length of the lots may vary. Without the carport and shed, it comes to about 41% lot coverage, he added.

Councilor Lashua said it looked to him like a number of changes need to be made still and said he needed some assurance that it would comply with the lot coverage standards of the MMC.

City Planner Corcoran said as far as approval, it won't be recommended for approval if it doesn't meet the ordinance requirements.

Councilor Roberts said if they design for the maximum and get approval, then they could still put in a single wide if necessary.

Mr. Sigler stated that in many of the existing parks, they have been designed for 66' lengths but a lot of people don't have that and it's difficult to design with the variety of mobile homes and people's desires. He said there is no way at this time to designate each lot for the exact size of mobile home that will go in it.

Councilor Lashua noted that with the present plan, if everyone brings in a 66' long home, they would be out of compliance.

Councilor Schank said his calculations on lot coverage concur with Councilor Roberts' and he said that he thinks they should have a plan that stays within the parameters of the ordinance.

Mr. Sigler pointed out that when the actual mobile home comes in they may be smaller than 66' and in addition, the Marysville code does provide for a permitting process on the siting of each unit and that should be the assurance to Council.

Councilor Roberts suggested "building envelopes" for each lot in order to provide for different sized mobile homes and he said he felt that would give Council a better basis for approval.

Councilor Lashua asked if they are still manufacturing mobile homes less than 28' wide and Mr. Sigler said no, the length is the only varying dimension.

There was discussion regarding sidewalks on interior streets and Councilor Roberts said he feels there should be walkways to the open space. He compared a subdivision with 9600 lots to this development and talked about minimum requirements there.

Mr. Sigler pointed out that the density of this project is less than the code allows. He added that a mobile home park is very different from a subdivision and the code does address that difference. He said he has been surprised by having to keep coming back with revisions and surprised at the issues that keep being raised at this stage. He said to pin down pad by pad is very difficult at this time when it's up to people's preference as to what length of home they will want to bring in.

Councilor Baxter suggested running a sidewalk in behind each unit and Mr. Sigler agreed that could be done, along the street.

Nancy Harvey, 6011 86th St. NE, addressed the Council and said she cares very much for this community and she wants to see it improve by providing a stable home market, where people aren't going to move on. She said she is not against mobile homes--there's a place for them. She said she is not against annexation and in fact spoke in favor of the Schmelzer annexation at the Boundary Review Board hearing. But she said, she feels the Comp Plan needs to be reviewed before approving a medium density mobile home park in a 12,500 area. She said she didn't want to put the City Planner on the spot, but asked if this couldn't set a trend in the area for medium density.

City Planner Corcoran responded that in his opinion, it will set that whole area in transition for multifamily residential, along 67th to the north side of 76th.

Ms. Harvey quoted from the 4/10/89 City Council minutes in which the City Attorney suggested that change of circumstances and compatibility is the test for the rezone. She then presented aerial photographs taken in 1978 and 1984 from the county and pointed out that there have been no dramatic changes at all in this area. As far as the school going in, they would require a CUP in any zone and she quoted the City Planner as having said the school "may not be a change." She added that in her opinion, more family housing would be a greater change than a school going in. She asked what the rationale was for only allowing mobile homes in medium density multifamily and commercial zones.

City Attorney Allendoerfer said that he remembered when the ordinance was passed in 1982--that at that time, mobile homes were mainly single wide trailers with in roofs and not compatible with single family homes and today are perhaps more compatible.

Ms. Harvey suggested that perhaps the ordinance should be reviewed first with some public hearings and suggested not changing the character of the neighborhood "on a whim". She further suggested that the developer is holding the annexation hostage here--he has strings attached and is using this as leverage for annexation. She added that approval of this will send a message to developers saying that they can put anything in if they are willing to annex with a rezone as a condition.

Councilor Roberts commented that the reverse is probably more true; that the annexation policy has been discussed and he said he felt it gives the City more control.

Mayor Matheny asked Ms. Harvey if she lived in Mercury Manor where they have smaller lots and Ms. Harvey said yes, the minimum lot size is 7200 but a number of them are much larger. She added that 7200 was consistent with the county and City Comp Plans at the time of development.

Councilor Baxter noted that the original mobile home ordinance was for a whole different structure; now they are manufactured homes and built to the same code as a single family dwelling; modular homes are very similar.

Councilor Lashua pointed out that the type of home has changed within the parks, also.

Linda Aune, 6115 83rd Pl. NE, Marysville, addressed the Council and said the county did not have current aerial photographs and so she has drawn in the changes--single family homes, Heritage Place Mobile Home Park, schools. In Heritage Place, she noted the average lot size is 9600, they are very well kept up and houses mostly seniors, no more than one unit per lot. She said if anything goes in on the Fraser property, that would be what the neighbors would want. She presented the Council with population projection figures and said it is obvious to her that there's growth in the area, especially with the new schools going in. She added that 89 signatures were brought in on a petition at the last public hearing against the project and unless they can make it totally compatible with the area, the 89 people are still totally against it. She also noted that she does not consider one property owner to be a valid 75% petition. In conclusion, she stated that the neighbors have not had a chance to review changes made to the plan since it was turned down at the Planning Commission hearing.

City Attorney Allendoerfer pointed out that at the 4/10/89 meeting it was announced that there would be a revised plan and it was received on 4/24/89 at City Hall.

Ms. Aune stated that they expected much more revision than 3 lots being changed around; they wanted larger lots.

Doyle Parks, 8026 67th Av. NE, Marysville, addressed the Council and asked about sidewalks and improvement of 67th.

Councilor Roberts explained that they are required to put in half street improvements, i.e. 22' to centerline; the City owns the other half of 67th.

Mr. Parks said if sidewalks are put in to the south of Frasers' property the sidewalks will come up to the porches of the houses along 67th and asked if there was any chance the City or county will widen the other side of the street.

Councilor Baxter said that is planned for the future.

Mr. Parks continued, stating that the proposed lots are down to 4500 sq. ft. with at least 50% coverage and asked if the 89 signatures held any weight vs one property owner in favor.

Councilor Roberts pointed out that two Councilmembers did vote no, including him but he voted yes to have them change it to be in accordance with the code.

Mr. Parks asked about trip generation on 67th. He said his home was the last one to be built in there 11 years ago and he is wondering about the traffic impact now and in the future.

Mr. Johnson responded that their traffic study revealed there would be 427 trips per day vs 440 if the plat had been put into single family homes.

Mr. Parks said he did not believe the testimony from the gentleman who spoke in favor of Mr. Sigler's plans and further, that he didn't think Mr. Sigler is being honest either, that Mr. Sigler is concerned with dollars only, he said.

Councilor Baxter pointed out that mobile homes have changed a lot over the years and Mr. Parks confirmed that 1969 was the last year single wide mobile homes were built.

Bob Ferguson, 8104 67th Av. NE, Marysville, addressed the Council and said he thought this a big farce; that the Boundary Review Board is going to throw this out. He added that there is so much traffic on 67th already that he can't get his horse trailers out onto the road and furthermore, the mobile home park doesn't belong in that neighborhood--it was changed to 12,500 and he said he sees no reason to change it again. He added that Fraser wants to get out from under this land but that he thinks the County Council will throw it out.

The public hearing was closed after determining that no one else wished to speak.

Mr. Sigler said he wished to comment on the area of growth and demand; that he surveyed 9 mobile home parks of a high standard all over and out of a total of 1507 pads, there are only 40 suitable, vacant pads (at Glenwood), for 24' wide which are no longer made. There are no pads available in Everett or Marysville right now for 28' wide units, he said and added that there is a very high demand for senior/adult housing which seems to demonstrate lifestyle choices and demographics are changing. He also noted that multifamily is in the code but it really doesn't allow the multifamily land use.

Councilor Roberts said the code is to maintain compatibility and density and Mr. Sigler said that the density would be comparable to 7200 lots and with respect to maintenance, there's a lot of people who don't want to have to mow lawns, etc. and the lot sizes reflect that.

Councilor Cundiff asked what assurance there would be that this would be an adult park and Mr. Sigler stated that policies and procedures have to be adopted in compliance with the Fair Housing law. This will be a 55 and over complex, he said, and added that specs for each unit have been supplied previously, with respect to requiring skirting on each unit, etc.

Councilor Roberts asked if they would agree to a 34' wide road plus 4' for sidewalk and Mr. Sigler said they would at least agree with the 34' road but he said he was not sure about sidewalks throughout the park.

City Planner Corcoran suggested that if approved, the rezone should be subject to the five conditions recommended in the staff report and that the development be as per binding site plan and including structural codes, storm drainage, erosion and traffic mitigation.

Fire Chief Ronning commented that there are no interconnections between 76th & 88th and the Fire Dept. would like to see interconnections, eg. at 83rd St. off 60th Dr., however with the concept shown, the units in the northern part of the mobile home park would be on the 83rd alignment and there's not enough room for a road in the mobile home park. He said the emergency access as proposed would be in everyone's best interest with the gate as proposed although normally the Fire Dept. doesn't like gates. This development would be similar to Mobile Haven's situation and the Fire Dept. has not had any problems there, he added.

Councilor Roberts said he would like to see the interconnection possibilities reviewed by the Traffic Advisory Committee prior to the public hearing stage. There was further discussion regarding possible interconnecting streets, committee meetings, the idea of 83rd becoming a through street having already been discussed and turned down, topographics of the area. Public Works Director Zabell added that from a traffic efficiency standpoint, you don't need the connector and the route to the south would be more geometrically superior. There was more discussion regarding arterials, traffic on 67th and neighborhood collectors.

Mr. Johnson said that as a point of information, on 83rd there's a 60' easement there with lots that can't be subdivided and there is a 30' easement on the other end; it's not exactly a true alignment, but it's there to extend 83rd if the county and/or City requires it.

Councilor Weiser stated that he thought the design mainly is good but that he does not agree with the location of the project based on the Comp Plan and underlying zoning.

Councilor Baxter noted that new traffic issues have come up and Councilor Roberts said that with them being agreeable to the trip sharing program, he feels that the mitigation issue has been resolved.

Councilor Lashua stated that he didn't feel the concern about people having to look at the project was valid, unless it's the people to the south, if that area is developed.

Councilor Baxter said he could see future complaints about Mr. Ferguson's farm smells, etc., but it would be the same problem if the area were developed single family.

Councilor Lashua said he feels 87 units would have less impact than if it were developed with single family with children; this would be a neighborhood with less trips per day.

Councilor Roberts said he knew that Glenwood has less traffic than a single family development.

Councilor Schank moved that the Fraser Annexation/Rezone be approved subject to each lot staying within the ordinance as far as 45% maximum coverage, interior streets, including the Planning Commission six recommendations (including traffic mitigation) and based on the 4/21/89 Preliminary Site Plan.

Councilor Cundiff seconded the motion because he said he feels there is a need in this area.

There was discussion regarding whether or not interior sidewalks should be required, jurisdiction for complaining to in the event of problems of farmowners in close proximity.

Councilor Schank restated the motion, adding that it be zoned RMM at time of annexation, with 45% or less coverage on each lot and with sidewalk around the perimeter of the islands on one side and with 67th curbs, gutters and sidewalks to be improved at the same time as the Marysville School District property. Councilor Cundiff seconded and a roll call vote was called for:

Councilor Lashua - in favor
 Councilor Cundiff - in favor
 Councilor Hots - in favor
 Councilor Roberts - against
 Councilor Baxter - against
 Councilor Weiser - against
 Councilor Schank - in favor.

The motion passed 4-3 in favor.

Findings of Fact:

1. The need for multifamily housing.
2. The need for senior citizen housing.
3. It's not incompatible--with golf course, school, woods, open space to the south, surrounding the project.
4. The school having been developed recently supports the fact that there are changed needs and circumstances from low density, since the Comp Plan was developed in 1978.

Councilor Schank moved that Resolution #1361 be adopted to send this to the Boundary Review Board. Seconded by Councilor Lashua and passed unanimously.

Councilor Schank noted that there is a bill now before the Senate requiring cities to approve multifamily housing because of the growth rate and changes.

CONSENT AGENDA:

1. Pierce Rezone (PA 8901002), Planning Commission recommends Approval.

Councilor Weiser asked that this be discussed separately from items 2 & 3.

City Planner Corcoran explained that this is immediately east of the bowling alley, on the same property. The request is for medium density multifamily for a batting cage use, which is consistent with the area. The Planning Commission recommends approval and the applicant is scheduled at the Board of Adjustment hearing tomorrow if approved tonight, he added.

Councilor Weiser stated that he understood they could get a CUP as is without a zoning change and asked if this is approved if the bowling alley would be changed to multifamily medium density also.

City Planner Corcoran stated no, it would just be the portion east of the Columbia Street Extension. With regard to the right of way, there is 75' to the north but 60' only is required behind the bowling alley, according to the Public Works Director, he added.

Jeanette Schulz, 3414 188th St. NE, addressed the Council and said they would agree to the 60' right of way as long as they can keep angle parking.

Public Works Director explained that a 44' roadway will not allow angle parking; that there are no plans at this point for improvement but in the future the City may have to take more right of way for improving the street. Ms. Schulz said that would be OK.

Councilor Schank moved for approval of the Pierce rezone to medium density multifamily for the eastern portion of the property. Councilor Hots seconded and the motion passed. Councilor Lashua did not vote.

2. 4/30/89 Payroll in the amount of \$309,302.40.
3. 5/8/89 Claims in the amount of \$123,145.94.

Councilor Cundiff asked about Voucher #16027 (concession supplies) and Parks & Recreation Supt. Ballew explained that these are purchased in conjunction with the softball program with all proceeds going back into the program.

Councilor Cundiff asked about Voucher #16160 - \$752.00 for equipment and Finance Director Dexter explained it was for battery back up equipment for Channel 18.

Councilor Weiser asked about Voucher #16087 - concilium appraisal and Finance Director Dexter explained it was for a partial payment of an inventory and appraisal done numbering and identifying fixed assets in order to bring the City into compliance.

Councilor Weiser moved and Councilor Hots seconded that Items 2 & 3 of the Consent Agenda be approved. Passed unanimously.

NEW BUSINESS:

1. Recreation District Resolution Request.

Fred McCarthy, 7825 56th Dr. NE, addressed the Council and stated that he represents the committee headed by Art Paulsen, who could not attend the meeting this evening. He said they are looking for Council support of a petition outlining a Marysville Recreation District which would have boundaries coincidental with those of the Marysville School District.

Councilor Roberts asked if the facilities would benefit people within City limits and Mr. McCarthy stated that there are a couple pieces of property that are very close to city boundaries and that the committee would be very sensitive to the needs of the Marysville city residents. He added that the petition would go before the county council in the form of a resolution proposing a tax not to exceed 37¢/\$1000 of assessed property value.

City Attorney Allendoerfer explained that it would be in the best public interest to have a public hearing before endorsing this resolution in order to determine such things as where the facilities will be located, how much additional tax, how many parks commissioners there will be, how many wards in the City.

Councilor Baxter asked about the school district's involvement and/or participation and Mr. McCarthy said there is a lack of recreational facilities and this would lessen impact on the schools but the school district would not be involved with regard to funding the recreational district. He said it was his understanding that this had been presented to Council previously, apologizing for his lack of information at hand, and stated that 5000 signatures are required on the petition by the end of the month.

There was discussion regarding the City endorsement, holding a public hearing in order to get more information out, public exposure, taxation powers, appointment of commissioners and other issues that need to be addressed. It was determined that a public hearing could be held 5/22/89.

Councilor Hots moved that a public hearing be held 5/22/89 regarding the Recreation District Resolution Request. Councilor Cundiff seconded and the motion passed unanimously.

REVIEW BIDS: None.

CURRENT BUSINESS:

1. Financing Golf Course Maintenance Shop.

Finance Director Dexter stated that he and Parks & Recreation Supt. recommend that this item be postponed until the 6/2/89 Council meeting for further information and to give the Golf Board a chance to review it also.

2. Completion of Hall & Lindsay Construction - Cedarcrest Golf Course.

Parks & Recreation Supt. Ballew explained the request is to complete construction at the 15th hole/green and for the 16th tee to be constructed in accordance with the preliminary design. He said this request has been approved by the Golf Board, that it is not to exceed \$5,000 (with \$8,000 having been budgeted), Hall & Lindsay are a national firm who specializes in golf course construction and they are on the Public Works roster.

Councilor Baxter commented that this area of the golf course has been in an unfinished state for almost a year now and moved that the request be approved, not to exceed \$5,000.00. Councilor Lashua seconded and the motion passed unanimously.

NEW BUSINESS:

2. Golf Course Equipment Purchase.

Parks & Recreation Supt. Ballew explained that the request is for \$5500 to purchase a Meter Matic II Topdresser which will implement the consultant's recommendations for enhancing and improving the condition of the golf course. He explained that this unit is a specialty piece of equipment and this is the only one in the state which is the reason the gang mower will be requested next year rather than this year. He explained that after the ground is aerated, the top dressing unit is used to spread a thin layer of sand on the course and the Golf Board concurs with the request.

Councilor Hots asked how hard it is to get parts for the top dresser and Parks & Recreation Supt. Ballew said they will be dealing directly with the manufacturer for parts. He added that there are other top dressers on the market but this is a very good model and very good value for the price. Councilor Baxter added that top dressing of the course is something that should have been done before and the manual method is not very satisfactory at all.

Councilor Hots asked if top dressing would address drainage problems and Parks & Recreation Supt. Ballew stated that it will build up the soil and yet allow growth.

Mike Robinson, the new Golf Course Supervisor, was introduced and he stated that the unit is large enough to load with a frontend loader so there's no waste of sand. He added that top dressing does build up the turf, it's something that needs to be done in the summer months, and yes, over the course of time it will improve drainage.

Councilor Cundiff moved that the Meter Matic II Topdresser be purchased for \$5500 as recommended, Councilor Hots seconded and the motion passed unanimously.

3. Permit Application Fees - Planning Department.

City Planner Corcoran presented exhibits regarding time spent preparing and presenting applications and noted that although fixed costs haven't changed there is now a tech review process which has increased costs and he presented comparisons of other area jurisdiction fee structures.

There was discussion and comments regarding how Marysville has the lowest permit application fees in the area and how additional staff has been hired in the last year in order to meet the growing needs of the community.

City Planner Corcoran recommended that the fee schedule be taken out of the ordinance so the whole ordinance wouldn't have to be amended every time there is a fee structure change/increase.

Councilor Roberts commented on Exhibit 3, noting there is no maximum for a PRD but there is a maximum of \$1500 for Preliminary and Final Plats. He added that a final plat only requires signing by the Mayor but the preliminary process is much more involved and should carry a higher fee.

Mayor Matheny noted that fees in California are in the \$7,000 to \$9,000 range which is outrageous, however she said she felt Marysville should at least be in line with Granite Falls.

Councilor Roberts said in the area of construction plan reviews, that Marysville's fee could be raised, but that he felt it need not be as high as the county's construction plan review fee.

City Attorney Allendoerfer stated that most cities have their fee schedules as part of their zoning code and the ordinance regarding fees could be changed so it doesn't go before the Planning Commission but rather the Council as it does concern City finances. The issue is who would have the public hearing --the City Council or the Planning Commission, he said.

Councilor Baxter said he feels it should be strictly up to the City Council and City Planner Corcoran said he would be amenable to meeting with Dave Zabell and others and working further on the fee structure.

Mayor Matheny appointed a committee: Councilors Cundiff, Baxter, Roberts and City Planner Corcoran.

4. Educational Reimbursement Request.

City Administrator Garner explained that this request is for reimbursement of expenses while Public Works Director Zabell attends Upper Iowa University, utilizing his vacation time, for a Bachelor of Science degree in Public Administration. The cost would be \$2,000 to \$2,300 and Dave has agreed to remain employed with the City for three years. It was noted that Dave would continue to pursue his PE degree also and City Administrator

Garner stated that the Executive Dept. recommends payment of expenses on the condition of three years employment.

Councilor Baxter asked if Dave's salary would increase as a result of the degree and City Administrator Garner stated no, there would be no increase as a result of the B.S. degree but in 1990 he would receive salary as Public Works Director instead of the present Acting Public Works Director salary.

After a brief discussion, Councilor Baxter moved and Councilor Schank seconded that Dave Zabell be reimbursed for expenses while attending Upper Iowa University, for a month. Passed unanimously.

LEGAL MATTTTERS/ORDINANCES & RESOLUTIONS:

1. City Attorney Allendoerfer said Belmark Industries wishes to dedicate the "Quil Ceda Creek Gulley" Park from the Plat of Quil Lane to the City.

City Planner Corcoran explained that it is just east of the plat, south of 88th and they thought it would be a good idea to have the park in the City system.

Councilor Schank moved and Councilor Hots seconded that the park be accepted by the City.

There was discussion regarding turning it over to the Parks Dept. and possible future development and fishing in the creek.

The motion passed. Councilor Roberts did not vote.

2. Contract with Snohomish County Public Works Dept. to upgrade six traffic lights on State at 5th, 8th, Grove, 76th, 80th and 88th which will be fully vehicle activated, at a total cost of \$310,000.

Councilor Hots moved and Councilor Cundiff seconded authorizing the Mayor to sign the Contract. Passed unanimously.

3. Contract with the State to borrow from the Public Works Trust Fund at 3% interest to develop Grove between 47th & 51st.

Public Works Director Zabell said the total cost is \$336,000 with a \$150,000 block grant and 10% local matching funds, and the loan would be for about \$167,000.

Councilor Hots moved and Councilor Cundiff seconded authorizing the Mayor to sign the Contract. Passed unanimously.

4. Contract between City and Burlington Northern for reopening of 5th St.

City Attorney Allendoerfer explained that the City would have to hire the crew and install a signal crossing at a total cost of \$122,671 and if the gate needs replacement, the City would be responsible.

There was discussion regarding servicing of the 5th St. crossing and it was noted that BN asked that it be closed. Public Works Director Zabell said that it will cost \$122,000 to move the equipment; that the equipment has been paid for.

Councilor Weiser said he recalled that BN agreed to cul de sacs and to maintain them.

City Attorney Allendoerfer said City Administrator Garner would have to check on the 15 year contract with BN because of the question of when the Council voted on reopening of 5th St.

Councilor Baxter stated that the rationale was to divert traffic from 4th & State and there was further discussion as to whether

this issue should go before the Traffic Advisory Committee. Mayor Matheny said the old ordinance/contract needs to be evaluated and Public Works Director Zabell added that it would have to go into the 1990 budget and would have to be approved by the Washington Utilities & Transportation Commission first. Councilor Lashua remarked that that means the City has until 1994!

Councilor Schank said he feels the old contract needs to be reviewed and it was the consensus to postpone the signing of the contract.

5. Ordinance #1690 - Annexing Ripper property into the City - approved by Boundary Review Board.

Councilor Baxter moved and Councilor Schank seconded to adopt Ordinance #1690. Passed unanimously.

6. Ordinance #1691 - Bayview Crest Rezone/PRD.

Councilor Cundiff moved and Councilor Hots seconded to adopt Ordinance #1691. Passed unanimously.

CALL ON COUNCILMEMBERS:

Councilor Cundiff asked about signage for the new street names and Public Works Director Zabell stated that he will have an answer at next meeting regarding signing of the whole City.

Councilor Lashua asked about 76th St. improvements and Public Works Director said the design is complete and they are hoping to advertise next week.

Councilor Hots asked about 64th and Public Works Director Zabell said construction should begin within the next few weeks.

Councilor Roberts said he has a serious concern regarding Kellogg Meadows and the abuse of bonding. He said all lots are under construction and to repave it is a big project. He noted that they are still working on sidewalks, the roadways are a mess and some of the units are occupied already.

City Attorney Allendoerfer stated that improvements must be done prior to occupancy and City Planner Corcoran said he would follow up on the situation.

Councilor Roberts said he thought the bonding process is being abused by the developer in this case and that it might warrant following up by the City Attorney, also, before the whole issue gets blown out of proportion.

Councilor Baxter reported that the problem with morale at the golf course has resolved and he asked about the problem of early players.

City Administrator Garner explained that the pro shop doesn't open until 7:00 a.m. it's difficult to keep track of greens fees for the golfers that come in at 5:30 a.m. He said it poses a liability if there are golfers and no supervisory personnel.

Councilor Baxter added that there is also a problem with the workers needing to get their work done around the golfers but for the summer, the workers are willing to start earlier to get off earlier. He also noted that the insurance claim rate at Cedarcrest is high because it's been made very easy for people to put in a claim for a new windshield. There have been no personal injury claims but the property damage claims are getting out of control.

City Administrator Garner explained that it is very difficult to hold an unidentifiable golfer liable for a windshield, even though the City would prefer the golfer assume that liability.

There was further discussion regarding the frequency of windshield claims and Councilor Baxter noted that it would probably cost more than the increased insurance premiums if drastic changes were made to the golf course in order to prevent the balls from hitting windshields.

Councilor Weiser said he had been requested by Maryfest to ask who would be interested in riding on the trolley in the parade. If anyone is interested, they are to contact Cheryl Deckard.

Councilor Schank said a new statement of policies will be coming out soon from the Legislature. Regarding the annexation HB 1251, counties are trying to get that vetoed; it's on the Governor's desk and he said he would like to see some City support for that bill. He added that the State is trying to revamp the UBC to a Washington Building Code and that he will be checking further on that. He again referenced HB 2167 and HB 2136 regarding mobile home parks provisions.

Councilor Baxter reported that the meeting with the PUD Commissioner ended in a suspension of discussions and City Administrator Garner commended Councilors Roberts and Baxter for handling the situation well.

LEGAL MATTERS/ORDINANCES & RESOLUTIONS:

7. Resolution #1362 - Parks & Recreation Aide for one year.

Councilor Hots moved and Councilor Schank seconded that Resolution #1362 be adopted. Passed unanimously.

MEETING REMINDERS:

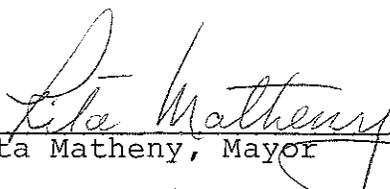
City Administrator Garner said the Annexation Retreat Follow Up would be for half a day, in the Fire Training Room of the Public Safety Building, beginning at 8:00 a.m., Monday, June 26, 1989.

He also reminded Council of the Planning Commission/Council joint meeting to be held at 7:30 p.m., May 30, 1989.

ADJOURNMENT INTO EXECUTIVE SESSION: 11:25 p.m.

RECONVENE AND ADJOURNMENT: Approximately 12:00 midnight.

Accepted this 22nd day of May, 1989.



Rita Matheny, Mayor



Phillip E. Dexter, Finance Director