

MARYSVILLE CITY COUNCIL MINUTES

MARCH 4, 1991

7:30 p.m.

Council Chambers

Present: Rita Matheny, Mayor
Councilmembers:
 Ken Baxter, Mayor Pro Tem
 Dave McGee
 Dave Weiser
 Donna Pedersen
 Donna Wright
 Lee Cundiff
 Bob Lashua (excused)
Administrative Staff:
 Carolyn Sanden, City Administrator
 Mike Corcoran, City Planner
 Phil Dexter, Finance Director/City Clerk
 Grant Weed, City Attorney
 Dave Zabell, Public Works Director
 Jim Ballew, Parks & Recreation Supt.
 Wanda Iverson, Recording Secretary

CORRECTED: SEE 4/11/91
MINUTESCALL TO ORDER:

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

ROLL CALL:

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

MINUTES OF THE PREVIOUS MEETING:

Councilor Pedersen moved and Councilor McGee seconded to approve the minutes of the 2/25/91 Council meeting as written. Passed unanimously.

Councilor Cundiff moved and Councilor Pedersen seconded that Councilor Lashua's absence be excused. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

PETITIONS & COMMUNICATIONS: None.

PRESENTATIONS:

Parks & Recreation Supt. Ballew handed out the Centennial Celebration agenda and explained the ceremonies would begin at 1:30 p.m. on Sunday, March 17th in Comeford Park with the cutting of the largest cake known. Celebrations will then be resumed at the Marysville Mall from 2:30 to 4:30 p.m. He stated 1000 pins have been ordered as well as three color street banners (30" x 50"), to be put up at various street intersections, affixed by way of permanent pole brackets. Over the next two weeks, there will be an old fashioned rally where people will be going door to door within the community, personally inviting everyone to the Centennial celebration via handbills, just as they did 100 years ago. Also part of the Centennial, will be the kickoff Friday night, 3/8/91 with a dinner at the Tulalip Inn in honor of the Consul General of Ireland.

PUBLIC HEARING:

1. An Ordinance Amending Section 5 of Ordinance 1795 (regarding the City's Wastewater Treatment Facility) Relating to State Environmental Protection Act (SEPA) Policy.

City Attorney Weed made opening remarks, noting the proposed ordinance would affect the SEPA portion of Ordinance 1795 and would lift the DS. This would allow new applicants as well as previous applicants to use the City's EIS rather than preparing one of their own. The ordinance amendments would affect projects with a previous DS as well as new projects and will not affect those projects with DNSs or those already approved, he said. He added

that the amended ordinance will still require an addendum or supplement to the EIS in very rare situations, eg. if the Tulalips want to put in a gambling casino or a very large Boeing project comes in and the City is still reserving the right to require this, he stated.

Randy Alament, Attorney with Williams, Castner & Gibbs of Seattle, addressed Council, representing Tom Withers. He said he was confused as to where this amendment came from because he has been involved in a trial since 2/11/91 and as he reads the amendment, this was drafted before the trial and contains no pertinent information and the things that have been happening currently.

City Attorney Weed said this ordinance was drafted specifically because the EIS has been completed and that it doesn't have any bearing on Tom Withers' project.

Mr. Alament referred to Section 5.1--"any new development activity creating a significant adverse impact" and stated that testimony in Olympia has been that there's been a 90% reduction in BOD and the plant is operating more efficiently than at any time in the past and there have been some significant improvements to the WWTF. He cited figures from August to December and pointed out that the 5 month averages are significantly below the figures when the City was in violation of the DOE requirements. He also pointed out that the City has taken steps with regard to the industrial violators as far as identification, compliance, etc., resulting in 1000 lbs. per day BOD reduction and sworn testimony was given at the trial to the effect that there is more capacity in the WWTF. He noted that Mr. Zabell came up with a figure of 950 additional residences (the most conservative figure), and another witness came up with a figure of 2000 additional residences that could be hooked up to the sewer without adverse or significant impact.

Mr. Alament says he feels the ordinance as proposed tonight is faulty because it is not giving the same story as given to the Pollution Control Board Hearing and further, SEPA policy can't be adopted on an ad hoc basis such as this. He cited RCWs and WACs with regard to SEPA in his defense and he also noted that it could be very easy to use this amendment against Mr. Withers with regard to Section 5.3 on development. He said he thinks it about time that the City be a little more careful with these ordinances. He reviewed the Withers project history and concluded this ordinance may violate Mr. Withers' rights to develop and suggested a meeting with Mr. Zabell to reword the document as per previous testimony. He concluded that he is against this ordinance being enacted and encouraged City Council to review it further.

Public Works Director Zabell clarified that the Consent Order is based on a monthly average and the City still has not been through typical "peak" months of May, June and July and he pointed out that there is another industrial user every summer--the berry packers which contributes heavily to the sewer lagoon and must be taken into consideration as far as possible overloading. Further, he stated his estimate/calculation of 950 hookups included vested property, such as Mr. Withers', and was not capacity, he said. He added that he takes exception to the fact that Mr. Withers does not feel they are vested but they are as long as the City is in compliance with the Consent Order.

City Administrator Sanden said that as far as the vesting issue is concerned, Mr. Withers' plat had been processed and at no time has Mr. Withers ever been not vested. She added that this ordinance relates to new hearings and approvals which were not vested and projects with a previous Determination of Significance.

MARYSVILLE CITY COUNCIL MINUTES

MARCH 4, 1991

Page 3

City Attorney Weed referred to Mr. Alament's statement regarding additional capacity with no significant adverse impact and said in fact, there was testimony limiting capacity and each hookup will put the City closer and closer to violation, so the City needs to keep the protective language in the ordinance, eg. the SEPA review process, he said. He added that the City is in a position now to help people move ahead with their paperwork, which has been requested by many developers.

Mr. Alament said he forgot something earlier, that this ordinance omits 5.4 of 1795 which dealt specifically with Mr. Withers and he said he feels this encroaches on his rights. It's true there are only 5 months of data but it's the best data we have and we shouldn't be looking at data prior to the improvements, he said, because consideration of pre-existing data is factually inaccurate. As far as this being for new development only, 5.3 says "development activity" and Mr. Withers does not have building permits yet and it could be argued that he could fall under this, Mr. Alament concluded.

Bernie Sigler, 626 128th St. SW, Everett, addressed Council and said he thinks this ordinance amendment is a good idea for the City to proceed with with regard to helping developers moving forward but said he shares the same concerns as the previous presenter and maybe there needs to be some redefinition of "development activity", i.e. those in the development pipeline vs. those entering the pipeline, he said.

Kris Marie, 7902 47th Av. NW, addressed Council representing Metco and she stated they are trying to do presales but the customers don't want to buy because it's a joke in Marysville; there is nothing in writing even with vesting on the sewer and water, she said. She asked the Council if they would buy and build on a lot without guarantee of sewer and water--even with vesting people can still be cut off, she noted and she stated that those with vesting should be taken care of first before allowing others to process their paperwork.

Bud Darling, 1916 Grove St., addressed Council and stated he did not think people were to be turned down; that he thought the ordinance was for new people and plats only to get the paper work out of the road so he concluded that he is confused with this.

Bob Wicks, 1624 Grove St., addressed Council and said he is confused also. He said he did not feel that project rezones, CUPs, short plats should be included under "development activity" referred to under 5.3.

City Attorney Weed explained the language under 5.3 is unchanged and the definition of "development activity" needs to be broad in order to ask for a SEPA review, if necessary. He reiterated that those who have had a SEPA review would not be asked to do so again.

Mr. Wicks said just going through the process could be a significant impact and said he agreed with Mr. Alament that this can be a tough ordinance against the developer.

Bill Roberts, 4129 76th St. NE, addressed Council representing a number of people who have submitted or are about to submit preliminary plats. He asked if there would be a disclaimer at the permit stage, i.e. with preliminary plat approval, the construction could be completed but then the hookup could be denied without DOE approval.

City Attorney Weed said yes, that could happen and that the City is still in no position to give a guarantee at the preliminary plat stage that you can hook up.

Mr. Roberts suggested that at the approval stage, there should be some idea of capacity and City Attorney Weed agreed.

Councilor Pedersen asked about the time line for processing the paperwork and Mr. Roberts said he assumed the majority of the rest of the year will be devoted to the paperwork on the plats he is involved with. He noted it is far longer in the county, in fact, he was not sure you ever get a project done in the county!

Laura Brent, 2924 Colby, Everett, addressed the Council on behalf of two clients. She noted that county projects are taking about a year for rezones, for example. She added they (her clients) had done a lot of work and do support Marysville's action tonight in passing this ordinance/amendment.

Rich Metzner, E. Lake Stevens Rd., addressed Council and stated he thinks the idea is good but that the ordinance needs rewording. He pointed out that lenders don't come to Marysville anymore because of this sewer problem. He noted that there is a penalty under the Consent Order of \$1000 per mo. but individuals are losing a lot more when they want to buy in Marysville, sell their other house and plan their move to Marysville and then what happens if the "faucet" is shut off? He suggested some meaning be put into the word "vested" and that they be grandfathered in. He noted that since 12/11/90, they have only sold 3 out of 33 houses because no one knows what is going to happen, the builder, the seller, the lenders. He said he sees the penalty as something that you pay unless you can prove you are making an effort to the DOE and people are putting a lot of time and money (\$10,000 out of pocket expenses in his case) in their projects and would like to see it moving.

Public Works Director Zabell noted that the Consent Order limitation is 4500 lbs. a day and the City has had some pretty good readings lately, but have no way to improve effluent.

There were several comments regarding the readings, the limitations imposed by DOE, the fact that the Pollution Control Board decision will not come in for 60 to 90 days, comments regarding a "stay" that may possibly be issued. City Attorney Weed pointed out that the PCB's final decision must be made within 90 days of the hearing and said he suspects they will take the full 90 days, but it may be less.

Councilor Pedersen asked if at that point it would be more appropriate to consider the vesting decisions/issues. She said it was her understanding that the intent of this ordinance was to allow those who have not begun the process to begin.

Councilor Weiser clarified that no vested projects would be included in this ordinance and Public Works Director Zabell said no, this is just to help people get started on the paper work.

Councilor Baxter asked about any commitment letters that have been issued and Public Works Director said only for those who are vested.

Councilor Cundiff asked when a person would get assurance of hook up to the sewer and City Attorney Weed responded it would be when there has been an application and the fees have been paid, except where there is a ban in place.

Councilor Baxter asked if someone gets all the permits, can the City back out? City Attorney Weed said no, not unless a ban came into effect in the interim and Councilor Baxter concluded from that there's no guarantee.

City Attorney Weed explained that as long as the DOE has the ability to impose a ban then no, there's no guarantee that someone can hook up.

MARYSVILLE CITY COUNCIL MINUTES
MARCH 4, 1991
Page 5

City Administrator Sanden pointed out that's what the Pollution Control Board hearing was all about and Councilor Baxter pointed out that the Council/City needs a written PCB decision in hand prior to the City making a commitment. City Attorney Weed agreed and said that's why staff is recommending extending the current ordinance.

Councilor Weiser asked if you have a permit and a dry sewer installed, can you still hook up and occupy the house and Public Works Director Zabell stated that's how it was done last time.

City Administrator Sanden pointed out that process was done with DOE's knowledge and it was a little more fair to monitor. She added that this ordinance is really only releasing the DS and EIS requirements so applicants can rely on the City's EIS and allow developers to begin the paperwork.

Councilor Pedersen stated her understanding is that this ordinance is to simply allow the paperwork to get started and Councilor Baxter said this is something everyone has wanted for some time.

Councilor Baxter then moved that Ordinance 1833 be approved/adopted amending Section 5 of Ordinance 1795 relating to the SEPA Policy. Councilor Weiser seconded and the motion passed unanimously.

CURRENT BUSINESS:

1. Ordinance Regarding One Year Extension on Preliminary Plats.

City Administrator Sanden explained that the issue came up last week regarding a plat that had its 3 years expire and a draft ordinance has been put together.

City Attorney Weed stated additional language was found in the state statute which makes other exceptions to the 30 day extension language so that a person who fails to submit an extension could still make a request within six months of the preliminary plat expiration, eg. the applicant that came before City Council last week. They could then request an additional year if they can show good cause, eg. substantial completion, substantial commitments in terms of time and effort, mailing the request to the wrong address, etc., he said. He noted that an untimely request can also have additional conditions imposed upon it, consistent with any changes within the prior 3 years, eg. new development standards, which gives the City more flexibility.

Councilor Baxter asked if after an additional year, newer conditions could be imposed and City Attorney Weed said the City would reserve that right.

Councilor Pedersen clarified that the one year extension would be from when they should have applied.

Councilor Weiser referenced paragraph 3 "exceptional circumstances" and "undue hardship due to the applicant's inability....." and City Attorney Weed gave an example that if they were so far along in the process that it would not make any sense for them to start over because they are essentially completed. He added this would be a judgement call.

Councilor Baxter asked in the case of the Army Corps of Engineers, the case last week would not be able to comply because of the length of time the Corps take with anything and it's maybe not possible for the applicant to comply.

City Attorney Weed said in that case, the City may not want to impose that burden.

Councilor Baxter said he doubted there are any more of these situations around but that he didn't want the City to get in a position of being "used".

City Attorney Weed pointed out that the City would have the discretion as far as determining "good cause" and he added that he sees the City in a changing land use environment and this may be something that will be helpful in that environment.

Councilor Baxter moved that Ordinance 1834 be approved/adopted regarding a one year extension on preliminary plats. Councilor Wright seconded and the motion passed with Councilor Weiser against.

2. Cloverdale; Extension of Preliminary Plat (continued from 2/25/91).

CORRECTED: SEE 4/11/91
 MINUTES

City Planner Corcoran reviewed the request and also noted there are wetlands on the property that weren't noted before. He said the ordinance just passed would allow this plat to be extended to 9/28/91 subject to the following conditions:

- Army Corps of Engineers/wetlands study
- Erosion study
- Participation in 67th ULID
- TIP 2 & 3 mitigation fees
- Schools & Diking District 3 mitigation fees.

Councilor Cundiff asked if they would be able to complete all obligations by 9/28/91 and City Planner Corcoran said if they are not built, they would reapply for a plat to the City Council and the same conditions would be recommended.

Dave Ostergaard, 3705 Colby, Everett, Consultant and representative for the applicant, addressed Council and stated on the wetlands issue, the Army Corps of Engineers has been notified and they are working with them. He guessed the Corps will probably be asking for a larger buffer, which they would be willing to do. On the erosion control plan, one was submitted in 1988, he said, and as far as the 67th ULID, they have no problem with that, he said. Regarding the TIP participation, he noted they have already gone through the mitigation measures but if City Council feels they must do that, they feel it a little unfair but will go along with it if necessary. On the school mitigation, they do not feel this is fair either but would go along with it if necessary, also, he said. He stated he didn't think there are any concerns by the Army Corps of Engineers on Phase I and they would like to proceed as quickly as possible on Phase I. He concluded they feel they can resolve all issues in six months except perhaps the wetlands issue.

Mayor Matheny noted they do not have final approval on the storm drainage and water and Councilor Weiser noted the City has the right to add new conditions unless good cause can be shown for not applying within the thirty days.

Mr. Ostergaard explained the owner lives in Spokane, they were involved in the utilities and then the moratorium hit. He added that in all his dealings with other jurisdictions there have never been any additional conditions put on the 4th year nor denial made but this is not to discount their untimely request, he said.

Councilor Baxter pointed out the City of Marysville has had many changes in the year, as Mr. Ostergaard knows, and if they had to start completely over, they would not be able to escape any of the new mitigation.

Mr. Ostergaard agreed and stated they are looking for the Council's generosity to a certain extent, yes.

Councilor Pedersen asked if the Army Corps of Engineers indicated a wetlands study or could the condition just be listed as "Army Corps of Engineers wetlands standards". Mr. Ostergaard said he thought the Corps was looking for additional information only, not a wetlands study.

MARYSVILLE CITY COUNCIL MINUTES
MARCH 4, 1991
Page 7

City Planner Corcoran said the Corps is asking for practical alternatives to filling wetlands and Mr. Ostergaard suggested meeting with the Corps on the site would probably go a long way toward resolving this whole issue.

City Planner Corcoran pointed out that the City has been under a lot of scrutiny regarding the processing of preliminary plats and he said he didn't want the City actions to be arbitrary.

Councilor Cundiff moved that the extension of the Cloverdale Plat be approved to 9/28/91 with the provisions that they comply with the Army Corps of Engineers wetlands standards, participation in TIP 2 & 3, LID #64 on 67th and that they provide a grading and erosion control plan, as per staff recommendations. Councilor Wright seconded the motion.

City Attorney Weed noted that on the school mitigation fees, the county recently enacted an ordinance for this, although Marysville has not as yet and so he said he would recommend the applicant negotiate with the school district directly.

Mr. Ostergaard asked if they have the option of coming back to the City Council if an agreement from the school district or the diking district cannot be reached; he pointed out they don't want to be held up by a third party.

City Attorney Weed said in about 2-3 weeks, the City will have a school district mitigation ordinance put together but he is not sure exactly what the terms will be as yet. City Planner Corcoran added that the school district brought a draft over to the Planning Dept. and it is a requirement under 2929. He noted also that City Council has conditioned other plats to negotiate directly with the diking district. Councilor Weiser argued that those were new plats.

A roll call vote was taken and everyone was in favor of the motion except Councilor Pedersen. Motion passed.

3. Hearing Examiner Decisions: A. Walker/Pepelnjak Variance.

City Planner Corcoran explained the hearing examiner's decision was to recommend denial of the applicant's request for off-street parking to be exempt from having to be asphalted.

Councilor Baxter noted that this may create a worse runoff problem and there was brief discussion.

Councilor Weiser moved to affirm the hearing examiner's decision to deny the applicant's variance request. Councilor McGee seconded and the motion passed with Councilor Baxter opposed.

It was noted that the hearing examiner misspelled "Walker" "Walter" in his report and that should be changed for the record.

B. Dujardin Homes Variance.

City Planner Corcoran said the hearing examiner's decision was to recommend denial of this request also and the applicant did not appeal the decision. City Planner Corcoran explained the hearing examiner process with regard to reviewing findings of fact, etc. and he added that the applicant admitted he could build another house on the property.

Councilor McGee moved to affirm the hearing examiner's decision and Councilor Pedersen seconded. Passed unanimously.

Councilor Cundiff asked about the appeal process and City Administrator Sanden said she would put a note in the Friday Briefing.

MARCH 4, 1991

Page 8

4. Map Users Group.

City Planner Corcoran explained that Jim Ozanne of the City of Everett has presented to City staff a proposal involving a geo-based system which would benefit several of the City departments. The proposal is the result of a cooperative effort between federal, regional and local governments. The proposal would enhance the 911 capabilities and give the City the ability to aggregate information relating to public safety, engineering and planning. The map users group is requesting a financial contribution to assist in funding a county wide program. At this point Snopac, City of Everett, Snohomish County, PSCOG, Postal Service and others have made a financial commitment to the project. He said a financial contribution of \$1,000 to the map users group would establish the City of Marysville as a significant contributor.

Several comments were made regarding which City dept. budget the \$1,000 would come from, discussion about input of information, maintenance, in-kind services, this being a schematic map.

Mike Papa, 9128 58th Dr. NE, addressed Council and it was noted that he is employed by the City of Everett Utilities Dept. He said he believed the City of Everett is doing a pilot study with a cost of \$45,000 for two square miles.

City Planner Corcoran said that's not quite the project we are doing here--this one would not have to be as precise as the study Mr. Papa is referring to.

Councilor Cundiff moved to make the \$1,000 contribution to establish the City of Marysville as a significant contributor. Councilor McGee seconded and the motion passed unanimously.

City Attorney Weed explained this involves a letter of understanding/interlocal agreement and he would bring this back at next Council meeting.

NEW BUSINESS:

1. Preliminary Plat of Cascade/51st Avenue Addition/Utility Var.

Continued to 3/11/91 at applicant's request.

2. Forest Park Realty Annexation - 10% Petition.

City Planner Corcoran explained this is for Lot 62, Sunnyside Five Acre Tracts which is within RUSA. He explained that support needs to be built to the north in order to annex the "island" and therefore staff does not believe the City should be entertaining any piece meal annexation in this area at this point and recommend denial/refusal of the 10% petition.

Ray Copley, Partner, addressed Council and explained they own the adjacent 20 acres which they call "Brighton Park" and they will be submitting paperwork on that, he said. He said they will improve 79th and have a nice development proposed. He explained that the City water and sewer departments would like to work with the applicant because of the low water pressure that can be improved by having this plat in the City. He said they would like to get going on Phase I and own the land free and clear. He added that they feel they would be helping the neighbors and the City Water Dept. They have contacted others in the area and most are positive about annexing, he stated.

City Planner Corcoran commented on annexation support in the area and the Neartown pending annexation. Mr. Copley stressed the help this would be for the City Water Dept. and how they are willing to work with the City.

City Planner Corcoran reiterated that he didn't think there would be a sufficient value to establish an annexation area large enough and considerable discussion followed regarding squaring off the boundaries, whether Mr. Cobley had contacted other neighbors, Mr. Cobley saying he could recontact some, the fact that an island would have only a 50% threshold under state law for sufficiency of petition.

Councilor Weiser said even with the benefit on the water line, he didn't think the City could recommend this as a 10% petition and recommended the applicant go back for more signatures. He asked about the disputed area and Public Works Director Zabell pointed out low pressure areas and commented on the water pipeline being put in.

There was further discussion about distribution, new customers, a new plat being created and more services needed, the disputed area.

Councilor Weiser moved for denial of acceptance of the 10% petition and Councilor Baxter seconded. Passed unanimously.

LEGAL MATTERS:

1. Interlocal Agreement Monroe Basic Reserve Police Officer Law Enforcement Academy.

City Attorney Weed explained that the Police Dept., along with a number of other law enforcement agencies, are participating in an agreement with regard to a driving program. He noted this is a program that's offered every so often and Marysville has traditionally participated.

Councilor Weiser moved and Councilor Baxter seconded to approve and authorize the Mayor to sign the interlocal agreement. Passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Ordinance Relating to Condemnation of Necessary Right-of-Way Easements for Construction and Maintenance of Water Supply Pipeline (continued from 2/25/91).

City Attorney Weed explained this was continued from last week for the sake of a legal description which he has attempted all week to get however it wasn't obtained and so he recommended that this matter be continued again. He added that one alternative would be to approve the ordinance subject to receipt of the legal description and then come back with the final wording. He said it is known what property is involved, it would just be confirming the legal description and action can be taken on the ordinance with the effective date five days after receipt of the legal description.

Councilor Cundiff moved to adopt/approve Ordinance 1835 with the effective date being 5 days after the ordinance is submitted for publication. Councilor Wright seconded and the motion passed unanimously.

2. Ordinance Amending Sections of the MMC Relating to Recycling.

City Attorney Weed stated it was brought to his attention by the garbage dept. that the ordinance left out a portion of the residential area of Marysville to be included; this would make multi-family mandatory also and commercial and industrial would be optional, he said.

Councilor Weiser moved and Councilor McGee seconded to approve/adopt Ordinance 1836. Passed unanimously.

STAFF'S BUSINESS:

1. City Hall Roof.

City Administrator Sanden said the estimate to have a full metal roof installed would be \$50,000. The reroofing estimate for a roof similar to now would be \$25,000. A ballasted roof with sloping may be more and the possibility of dry rot may increase the estimate by \$5,000, she said. This would include a 10 year guarantee and the money can be borrowed from the utility fund. She said the alternative would be to do minor repairs.

There was extensive discussion about the budget, the possibility of splitting up the cost by department, waiting until dry weather to proceed with the roof, waiting until after the Retreat to make the decision of whether or not to replace the whole roofing system or just repair and/or make minor improvements, Councilor Baxter noting that tomorrow another estimate will be coming in, changing the roof line.

Councilor Cundiff noted there is a new type of roof application out now with a 20 year guarantee and there was more discussion about costs, flat roofs, guarantees, waiting until after the Retreat to make the decision, expanding or remodeling City Hall, bidding process, roof leaks, continue getting bids. The consensus was to wait until after the Retreat, but to continue to get bids.

MAYOR'S BUSINESS:

Mayor Matheny said Pete Kinch, Everett's Mayor, has offered to donate something to Marysville for our Centennial. She also recommended that the Councilmembers' dinners 3/8/91 be paid for at the Centennial kickoff. Consensus.

CALL ON COUNCILMEMBERS:

Councilor McGee asked about recycling toters and Public Works Director Zabell reported that 3018 have been delivered and should all be out by 3/18/91.

Councilor Weiser commented on the overhead presentations and said he appreciated them helping him to visualize a map, eg. He asked for an update on the PUD negotiations on disputed areas and whether City Council could have copies of maps depicting City limits, RUSA, boundaries and disputed area, current annexations depicted. He also asked about the sewer ban in the disputed area.

City Administrator Sanden said as far as PUD negotiations, there would be a meeting a week from Wed. unless there is a change to Monday.

Councilor Weiser reported that he attended the Snohomish County Tomorrow meeting recently in Bob Lashua's absence and that he understands the intent is for Snohomish County Tomorrow to set up preliminary Urban Area Boundaries and they feel they want a starting point and want input from the cities. He said he feels we need to decide whether these boundaries are acceptable.

City Planner Corcoran said he met with city planning directors today and it was thought that the paper entitled "Designated UGAs" was fairly well worded and each city is to send a letter to Snohomish County Tomorrow with their feelings. He said there was no dissent at the meeting and so they only felt 2 weeks was necessary to hear from the cities. He said he would like to send a letter to them explaining the Urban Area Boundaries are preliminary. He added that we are starting to get a considerable amount of interest from the public, the Planning Commission, etc. He referred to the map that depicted preliminary Urban Area Boundaries and explained that these boundaries are to support a 20 yr. population growth and would limit annexation to that area also. Some of the UGA is outside RUSA, ag land, etc. and based upon City Council direction and the criteria of 2929, the ultimate UAB will be developed, he said. Some of the decisions will be tough, he noted.

Councilor Weiser asked about ag lands being included and City Planner Corcoran said it would be included in the UAB if it's "short term" ag use; if it's going to remain ag over the long term, it would probably not be changed to urban, he said.

Discussion followed regarding CWSA, RUSA, expanded RUSA boundaries, City limits being dictated by the Urban Growth Area Boundary, population projections up to 80,000, ag areas not to be included but it could be included in Arlington if it's industrial, "prime" ag areas, wetlands, Planning Commission discussions, City Council and Planning Commission going in different directions? UGA to be reviewed in 10 yrs., county establishing boundaries on criteria of Growth Management Act, present density designations, 20 yr. population projections, housing market, we would need to justify a larger boundary, Marysville is simply proposing these boundaries, the county makes the final decision, different areas discussed as far as focusing efforts, designation of annexation areas has caused a lot of conflicts, Marysville annexation policies, why ag areas couldn't be within City limits, long term use considered, negotiations with county planning dept., "compacting" concept, 2929 concepts regarding preservation of ag land, definition of urban areas, serving urban areas with water and sewer as well as its density, Boundary Review Board Board decisions, Arlington's annexation of ag areas, difficulty of getting a drain field permit, UGAB prohibiting sewer extensions beyond UGAB in order to promote development of urban areas, 152nd vs. 172nd, further negotiations with Arlington. It was the consensus that City Planner Corcoran and Councilor Weiser would work on a response letter to the county from the City.

Councilor Pedersen asked about a fee schedule review and she noted this would be a good time to review with a view to the fees paying for each respective service.

Councilor Baxter asked about the short light at 47th & 4th in the north-south direction and Public Works Director Zabell said he would check into it.

ADJOURNMENT: 11:07 p.m.

Accepted this 11th day of March, 1991.

Lita Matheny
MAYOR

Phillip E. Dexter
CITY CLERK

Wanda A. Iverson
RECORDING SECRETARY