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MARYSVILLE CITY COUNCIL MINUTES

June 3, 1991

7:30 p.m.

Council Chambers

PRESENT: Mayor Rita Matheny                      ABSENT: Dave Weiser (excused)

Councilors:

Ken Baxter, Mayor Pro Tem  
Dave McGee  
Donna Pedersen  
Donna Wright  
Lee Cundiff  
Bob Lashua

Administrative Staff:

Carolyn Sanden, City Administrator  
Grant Weed, City Attorney  
Phil Dexter, Finance Director/City Clerk  
Mike Corcoran, City Planner  
Dave Zabell, Public Works Director  
Dennis Petersen, Sergeant, Police Department  
Mary Swenson, Assistant to the Administrator

CALL 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 except Councilor Weiser. Councilor Baxter moved to excuse Councilor Weiser's absence. Councilor McGee seconded the motion and the motion passed unanimously.

MINUTES OF PREVIOUS MEETING:

Councilor Lashua noted in the minutes of 5/28/91, on page 2, last paragraph, should read "June 1990". Councilor Pedersen indicated that page 4, fifth paragraph from the bottom, should read "Ordinance 1795 to 6/10/91 or until ...".

Councilor Lashua moved to approve the 5/28/91 City Council minutes as corrected. Councilor McGee seconded the motion and the motion passed unanimously.

STAFF BUSINESS:

City Administrator Sanden informed Councilors that Staff is researching the possibility of using a collection agency for court collections. Copies of contracts from other jurisdictions will be reviewed and a report will be given to Council.

City Administrator Sanden stated that Staff has talked with Book Publishing Company and Marysville Municipal Code Book updates should be arriving very soon.

Staff is still researching Cellular One charges. A report will be given to Council when research is completed.

Administrator Sanden indicated that the Council will hold an executive session following tonight's meeting. It was inadvertently omitted from the agenda.

City Planner Corcoran informed the Mayor and Councilors that Boy Scout Troop 82 will be representing the City of Marysville at Everett's Flag Day celebration.

Public Works Director Zabell briefed the Mayor and Councilors on a meeting Staff had with Snohomish County officials regarding some funding for the 88th Street Interchange. A proposal will be brought to Council in the future.

MAYOR'S BUSINESS:

Mayor Matheny brief Councilors on a luncheon she attended with the Secretary of the Navy. There was no comments made regarding the future of Everett's Navy Homeport.

CALL ON COUNCILMEMBERS:

Councilor McGee updated Councilors on a meeting held with Steve Beard, Manager of TCI Cablevision in Marysville. Councilor McGee, Councilor Cundiff, and Mary Swenson were in attendance at the meeting. Discussed were the ENCORE channel marketing and offensive programming. Mr. Beard indicated that they will trap channels (free of charge) for customers who find them offensive. The ultimate decision on the marketing of Encore will be decided in Court (the Attorney General has filed suit against TCI).

Councilor Baxter stated that Councilors have never been asked to take a position on gambling on the Tulalip Indian Reservation. Also, they have not been kept informed on the progress of the negotiations.

City Administrator Sanden stated that there have only been a few meetings with the Gambling Commission. At these meetings City Staff addressed issues such as increased crime, increased traffic, etc. These meetings were confidential meetings. No final decision has been made; the public hearing is scheduled for June 7, 1991.

Councilor Baxter informed the press that there was a news article on the recent utility rate increase that indicated another increase would be made this year. This is not the case and a correction should be printed.

Councilor Pedersen asked about the wording in the South Arlington Annexation final decision document. City Attorney Weed stated that "disapprove" and "disapprove as submitted" basically mean the same thing.

Councilor Pedersen said she heard we would be receiving a letter from PUD within the week regarding the disputed service area in the eastern portion of the City.

Public Works Director Zabell indicated that he has not received a letter. Administrator Sanden stated she spoke to Craig Thompson and he has been instructed to place a "business value price" on the system.

Councilor Pedersen has received a complaint regarding property located at 1st & Columbia (1500 block). She drove by the property and counted 13 vehicles.

City Planner Corcoran stated that this property is zoned industrial. City Staff has been working with the City Attorney on this particular piece of property as well as other nuisance problems within the City.

Public Works Director Zabell informed Councilors that the Wastewater Treatment Facility Engineering Report has been approved. This will allow staff to proceed with required permits, i.e., shoreline permit, etc. The non-wetland construction can begin in the fall. The plans and specifications will be submitted to the Department of Ecology in the near future.

Councilor Pedersen asked other Councilors for comments on the communications analysis. This analysis was done to determine the best approach to dispatch when the City's Fire Department and Fire District #12 enter into a Joint Operating Agreement.

Sergeant Petersen stated that if the dispatch center was closed down entirely, five additional custody officers would be needed.

Councilors questioned Sergeant Petersen regarding several of the options available.

Councilor Baxter stated that the possibility of closing both the jail and dispatch was not presented as an option.

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Sergeant Petersen stated that when looking at jail costs this did not appear to be a viable option. If all of the prisoners housed in Marysville's jail had been sent to the County jail last year, it would have cost \$600,000.00. The jail budget for last year was \$255,000.00.

Following further discussion it was the consensus of the Councilors that option #2 (City dispatch both fire and police) should be pursued.

Councilors commended Sergeant Petersen for the excellent job he did on the analysis.

AUDIENCE PARTICIPATION:

There was no audience participation on non-agenda items.

CITY HALL ROOF:

Administrator Sanden stated that the Council Facilities Committee and Staff have interviewed architects and would like to proceed with negotiations on the contract. Staff would also like formal authorization to proceed with the sloped metal roof.

There were discussions regarding the future use of the City Hall facility and if the sloped metal roof was the best option available.

It was Council's consensus that the City Hall facility would be used for some City use for many years to come. The sloped metal roof has the longest life expectancy and very low maintenance.

Following further discussion, Councilor Lashua moved to authorize the Council Facilities Committee and City Staff to proceed with the sloped metal roof project for City Hall as indicated on the agenda bill. Councilor Pedersen seconded the motion and the motion passed 5 to 1 with Councilor Cundiff voting opposed.

UTILITY VARIANCE - ANDERTON:

City Planner Corcoran explained the location of this property. The drainfield has stopped functioning and a letter has been received from the Health District.

City Planner Corcoran stated that Staff had recommended denial because when the agenda bill was written a letter had not been received from the Health District. Also, this property is located within the City/PUD disputed service area.

Councilor Cundiff moved to approve the variance because of the health hazard. Councilor Wright seconded the motion.

Councilor Baxter asked if this would impact the negotiations with PUD.

City Attorney Weed indicated that this application actually requires two variances. One from Ordinance 1795 and one for sewer without water.

Public Works Director Zabell stated that this property is presently being served by PUD water. It is actually the last house on the PUD line. The property is located within the City limits. The variance would be for an existing house not for a proposed development.

City Attorney Weed stated that since there is a hardship it would not be precedence setting. This is a special case that only relates to this piece of property.

Councilor Cundiff amended his motion to include:

1. The four findings on the agenda bill.
  2. A variance be granted to MMC 14.01.040 (sewer without water).
  3. This hookup is for existing residence only.
- Councilor Wright seconded the amendment. The motion and the amendment passed unanimously.

UTILITY VARIANCE - J & D BUILDERS:

City Planner Corcoran informed Councilors that the applicant has requested that this variance be postponed.

ORDINANCES & RESOLUTIONS:

Following clarification, Councilor Wright moved to adopt Ordinance #1847:

An Ordinance of the City of Marysville Repealing Section 11.04.050 of the Marysville Municipal Code Relating to Negligent Driving, Amending Section 11.04.020 Relating to Provisions of the Model Traffic Ordinance not Adopted by Reference, and Adopting RCW 46.61.525 Relating to Negligent Driving.

Councilor McGee seconded the motion and the motion passed unanimously.

Public Works Director Zabell stated that he has received a letter from the Health District regarding the Gregory Gosch property.

Councilor Pedersen moved to adopt Resolution No. 1479:

A Resolution Granting a Variance to the Sewer Moratorium for the Gregory J. Gosch Property at 4903 Grove Street, Marysville, Washington.

Councilor Cundiff seconded the motion and the motion passed unanimously.

Following clarification, Councilor Lashua moved to adopt Resolution No. 1480:

A Resolution of the City of Marysville Segregating Certain Assessments in ULID #7.

Councilor Pedersen seconded the motion and the motion passed unanimously.

Councilor Pedersen moved to adopt Resolution No. 1481:

A Resolution of the City of Marysville Segregating Certain Assessments in LID 63.

Councilor McGee seconded the motion and the motion passed unanimously.

AUDIENCE PARTICIPATION:

Greg Clough, 12911 - 52nd Avenue NE, stated that he submitted an estimate for a torch down roof for the City Hall structure. He is concerned that the Council is being misled. Sloped metal roofs have no waterproofing warranty. He also indicated that a metal roof requires a lot of maintenance.

EXECUTIVE SESSION:

At approximately 8:50 p.m. the Council adjourned into Executive Session to discuss pending litigation.

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ADJOURNMENT:

The meeting adjourned at approximately 11:10 p.m.

Accepted this 10<sup>th</sup> day of June 1991.

  
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MAYOR

  
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CITY CLERK

  
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RECORDING SECRETARY