

MARYSVILLE CITY COUNCIL MINUTES

NOVEMBER 4, 1991

7:00 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

Administrative Staff:

Carolyn Sanden, City Administrator  
 Grant Weed, City Attorney (7:11 p.m.)  
 Phil Dexter, City Clerk/Finance Director  
 Roger Kelley, Community Information Officer  
 Dave Zabell, Public Works Director  
 Steve Bennett, Associate Planner  
 Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:00 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 PREVIOUS MEETING:

Councilor Lashua noted that in the 10/28/91 minutes, on page 3, 2nd paragraph from the bottom, beginning of the second sentence, "I" should be "He".

Councilor Pedersen noted on page 10, about 2/3 of the way down, in the first paragraph that begins "Councilor Pedersen", the "donation of a park" should read the "park and ride contribution".

Councilor Lashua moved and Councilor Pedersen seconded to approve the 10/28/91 minutes as corrected. Passed unanimously.

STAFF'S BUSINESS:

City Administrator Sanden reported the next City Council meeting will be 11/12/91 (next Tues.) because of the Veteran's Day holiday falling on Mon. 11/11/91. She noted that staff will be covering 3 meetings Tue. night because in addition to City Council, the Boundary Review Board and Marysville Planning Commission will also be meeting.

CALL ON COUNCILMEMBERS:

Councilor McGee reported the Budget Committee has been meeting on a regular basis (every day last week) and hopes to wrap things up this week.

Councilor Pedersen mentioned the 11/19 upcoming Urban Growth Boundary workshop, which she will be attending.

Councilor Wright reported she will be out of town on business 11/12/91 and asked for an excused absence that night. She also reminded everyone to vote tomorrow, 11/5/91.

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AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Leroy Berry, 4329 94th Pl. NE, addressed Council, explaining that he and his neighbors approached the City to get their street taken care of in 5/91. He stated the City promised it would be done in June or July but then it was put off until October and still hasn't been done.

Public Works Director Zabell stated the City did take care of the storm drainage project/problem and hopes to have the street finished this month.

Mayor Matheny asked about a traffic light at 92nd or 94th and Public Works Zabell stated Pay N Pak were required to mitigate however it was not enough to fund the entire signal. He said he is not aware of any other businesses who have contributed although there are some folks from the Nan Center who expressed some interest. He added that the gal from the pet store was to come before Council but has not as yet, with regard to this. He said he is also looking into an actuated pedestrian crosswalk and costs for a banner.

Councilor Cundiff asked about the delay of 4-5 mos. which Mr. Berry and his neighbors are experiencing with respect to improvement of their street.

Public Works Director Zabell explained there is an inherent problem with the whole curb, gutter and sidewalk program in that it is difficult to anticipate who will participate in this voluntary program and this is what causes a lot of delays when only 2 at a time sign up, eg. He added that the Streets and Utilities Dept. has also been very busy on 2nd St. and it makes it very difficult to engineer a curb improvement program when everyone doesn't sign up at the beginning of the project and some people only signed up for curbs and gutters, no sidewalk.

Councilor Weiser asked about the LID request and Public Works Director Zabell said it was to do with the light but one idea he had was the possibility of a curb, gutter & sidewalk LID program to prevent delays such as have happened with Mr. Berry's neighborhood.

Don Boone, 7404 66th Av. NE, addressed Council regarding the Marysville Golf Center. He quoted from the 10/7/91 minutes where Councilmember Pedersen moved that the owner fix the holes in the nets and Mr. Boone noted the holes have never gotten fixed. He said he has counted 77 holes and also, on the south side, there's a net hanging down and there's the possibility that it's going to come down in a good wind, he said. He stated they had 13 balls land in their yard over the 10/12-13 weekend. Putting sheets of plywood down is a good suggestion in the event of bad weather, he noted and felt Mr. Ramcke should be doing something about the holes in the nets.

Mayor Matheny confirmed the holes in the nets have not been fixed and she said she also saw the dents in Mrs. Boone's car.

PRESENTATION:

1. Library Centennial Project.

Cindy Lyons, Community Librarian, addressed Council and presented for their perusal two out of six notebooks which have been put together depicting Marysville's history, by volunteer Dorothy Kirk. She stated the history is mainly comprised of articles from

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the Globe and the handsome reference books have been paid for by the Friends of the Library and were put together with non-deteriorating materials. She noted that these reference books are retained at the Library and cannot be loaned out.

PUBLIC HEARING:

**1. Northwest Annexation (Leifer) - Continued from October 14/91.**

Associate Planner Bennett explained that reduced boundaries had been approved at the 8/26/91 City Council meeting, with 45% in favor of annexation by petition and 16% in favor by covenant, totaling 61%. He showed an overhead map and referred to the other two pending annexations which adjoin this one: Nobach and Quil Ceda Auto Annexations. He noted that the Quil Ceda Auto Annexation has been reduced because of problems with the covenants in Indian Creek Estates and staff is recommending City Council consider the viability of the Northwest Annexation in light of the Quil Ceda Annexation area. He cited the policies and objectives agreed to at a Council Annexation Workshop and noted two letters of objection to the annexation have been received.

The meeting was then opened up for public testimony.

Celeste Kukahiko, 11304 41st Dr. NE, addressed Council and stated she feels her family's lifestyle is going to change dramatically as a result of the annexation and is therefore against. She cited the first thing that will change as a 6% City tax on utilities. She noted that a lot of people are not aware of the covenants and further, she understands a lot of the covenants are not binding. She said she feels like she is being blackmailed and also that a person with 50 acres should have the same say as one with one acre or less--one man, one vote. She asked about the petitioners who signed against the annexation, if these signatures had been received by Council and City Administrator Sanden stated these were put in the packets originally. Ms. Kukahiko asked about garbage, police services and ag zoning changes.

It was explained that there's a five year phase in period before the City would require you to subscribe to their garbage service, that the City has very good police services and a property owner would have to request a zoning change and go through the public hearing process, they could not have their property rezoned by someone else.

Public Works Director Zabell pointed out that the rezoning process is the same in the county as in the City.

Ms. Kukahiko said the way she sees it, the more property you own, the more say you have and she added that she talked with Jim Cameron of the Tulalip Tribes who says they own quite a bit of land within the annexation area and they are not aware of the annexation (no notification). She added that it is property owned in trust by the Tulalip Tribes and that Mr. Cameron also said an EIS should be filed. She said they apparently own 17 acres in behind the Kukahiko property.

City Attorney Weed explained the public notice requirements which have been met with regard to notifying people of the public hearings, etc.

Ms. Kukahiko asked when the county would review this and Associate Planner Bennett stated the county has reviewed the DNS and there will be upcoming public hearings.

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Public Works Director Zabell added that the Boundary Review Board will post notices throughout the annexation area also.

Councilor Pedersen stated it is also public information and Ms. Kukahiko would be able to obtain that information by calling the Courthouse/County Planning Dept. City Attorney Weed added that Bonnie Collins of the County be requested to add Ms. Kukahiko's name to the mailing list of those to be notified.

Ms. Kukahiko concluded that she doesn't see the City as doing a lot for her, especially in light of the comments from Mr. Berry earlier.

Carmen Nielsen, 3814 100th Pl. NE, addressed Council and presented a petition signed by 50 people asking to be excluded from the Northwest Annexation as the area can only be accessed by going through the City then the county then the City again (if it were to be annexed).

Bob Weaver, 13305 Hwy. 99, addressed Council, noting he has been in business for over 15 years and have watched the county stifle business. He stressed the need for Marysville to get more qualified employees up here; everyone seems to head south and he said he would like to see the Marysville Industrial Park further develop, as it has a lot of potential. He noted it is already zoned, has sewer and water in, the people of the area shop in Marysville and he said he thinks it's necessary for the City to have this tax base. He added that he has dealt with the Snohomish County Sheriff's Dept. over breakins they have had and there have been so many delays and nothing done, no followup. He concluded that he feels the City would be closer and therefore would do a better job in the area of security and followup of breakins.

Steve Leifer, 12729 Hwy. 99, addressed Council, stating they have complied with all the laws that govern annexations, with over 60% through petition and/or covenant in favor. There is a surcharge on utilities in the City, he admitted, but water and sewer charges would offset that surcharge, he feels. He said he agrees with Mr. Weaver, that law enforcement by the county is not satisfactory. Leifers have had 7 breakins in the last 4 years and all they have gotten out of the Snohomish County Sheriff's Dept. is a case number, he said. He added that he feels they would have a more responsive police force and a more responsive City Council, as opposed to the county. He said he doesn't see anyone who is going to lose anything in the annexation and also, as far as one man, one vote--corporate America is run on the principle that the more shares you own, the more you have to say and the more property you have, the more you have to lose. He concluded that he would like the City Council to send this on to the Boundary Review Board at this point.

Patricia Everett, 3924 122nd Pl. NE, addressed Council and stated she was forced a year ago to sign the covenant by the City in order to get water. She stated they could not put in a well and it cost them \$1100 to run a line and had to put in a fire hydrant plus pay \$677 for the meter. She said she sees the problem as people not wanting in the City so much as their just wanting out of the county because of the difficulty to develop in the County.

Max Everett, 3924 122nd Pl. NE, addressed Council and stated basically the way he sees it, it's greed. Greed on the part of the people who want to deal with a smaller planning dept. and also greed on the part of the City for wanting to expand their tax base in order to pay for their social programs which should already be funded. He said he doesn't want to have to pay for programs such

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as this and wants some proof that the City can do more for him than the county. He concluded it just boils down to greed on the part of the developers and the City. He pointed out that in his neighborhood, the builder signed the covenants in 1951 and he doesn't think that's fair to people who live there now. He said he bets only 10% are really in favor of this annexation.

Warren Pelletier, 11206 41st St. NE, addressed Council and stated he objects to the annexation. He said he signed a covenant against his will and another point is Mr. Leifer should only have one vote as a "corporation" against the people who own property also. He stated he has been on social security/fixed income for 15 years and doesn't share Mr. Leifer's corporate profits.

There was no more public testimony and this portion of the hearing was closed at 7:55 p.m.

Councilor Lashua asked about the comment that the building code in the City is less strict than in the County.

Public Works Director Zabell explained that both the City and County conform to the exact same version of the Uniform Building Code but the City's process is more streamlined: It takes about 50 weeks in the county vs. 4-6 weeks in the City to process.

Councilor Weiser asked if this is still a viable annexation with the Quil Ceda reduction in boundaries and Councilor Pedersen commented that in looking at the total picture of all three annexations, it makes more sense as a logical boundary.

Councilor Lashua asked what stage the Nobach Annexation is in and Associate Planner Bennett stated they are in the process of putting together their 60% petition at this time.

Councilor Lashua referred to the 4 page letter from Greg Williams' office of the County in the packets and City Attorney Weed stated one of the issues that the county wishes to raise is an interlocal agreement be signed between the City and County. He stated also that there may be some issues that can be solved with the county between now and when the proposed annexation goes before the Boundary Review Board and the letter involves several issues pending throughout the county.

Councilor McGee thanked the proponents and opponents for their input this evening and said he felt quality of life would be increased with the annexation. He then moved to approve the Northwest Annexation subject to adoption of the City's bonded indebtedness, comprehensive plan designation for the area and authorizing staff to send the annexation to the Boundary Review Board. Councilor Wright seconded and a roll call vote was taken will everyone unanimously in favor of the motion.

CONSENT AGENDA: None.

REVIEW BIDS: None.

CURRENT BUSINESS: None.

NEW BUSINESS: None.

LEGAL MATTERS: None.

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ORDINANCES & RESOLUTIONS:

1. **Resolution for 2 Hour Parking on the South Side of 6th St.  
 (between Delta & State).**

Councilor Baxter moved that Resolution #1507 be approved/adopted and Councilor Cundiff seconded. The motion passed unanimously.

ADJOURNMENT INTO EXECUTIVE SESSION: 8:05 p.m.

1. Pending Litigation.
2. Property Acquisition.
3. Personnel.

RECONVENE: 8:55 p.m.

Motion was made and seconded to amend the 1991 Budget to approve one full time temporary employee for the Planning Dept. to help update the zoning map, at an approximate rate of \$10.00 per hour. The motion passed unanimously.

A citizen then reentered Council Chambers and addressed Council regarding cocaine dealing and use in the area.

ADJOURNMENT: 9:34 p.m.

Accepted this 12 day of November, 1991.

Rita Matheny  
 MAYOR

Phillip E. Dexter  
 CITY CLERK

Manda R. Iverson  
 RECORDING SECRETARY