

MARYSVILLE CITY COUNCIL MINUTES

JULY 27, 1992

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
 Donna Pedersen, Mayor Pro Tem
 Dave McGee
 John Myers
 Ken Baxter (7:02 p.m.)
 Donna Wright (excused)
 Mike Leighan
 Otto Herman
Administrative Staff:
 John Garner, City Administrator
 Grant Weed, City Attorney
 Steve Wilson, Finance Director
 Gloria Hirashima, Planning Director
 Jim Ballew, Parks & Recreation Director
 Wanda Iverson, Recording Secretary

CORRECTED: SEE

8/3/92

MINUTES

CALL TO ORDER:

Mayor Weiser called the meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL:

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

MINUTES OF PREVIOUS MEETING:

Councilor Pedersen noted on page 1 of the 7/13/92 minutes that it should be "Finance Director Wilson" not "Finance Director/City Clerk Wilson". On page 3, in the middle of the page, regarding the hookup fees, "his" should be changed to "the" and on page 5, she noted that in the first paragraph, the 2nd line should be deleted.

Councilor McGee moved and Councilor Myers seconded to approve the July 27, 1992 minutes as corrected. Passed unanimously.

STAFF BUSINESS:

City Administrator Garner noted the Fire Dept. is having a blood drive from 1-7 PM tomorrow at the Public Safety Bldg. He stated he and Steve Wilson have recommended an Asst. Finance Director to the Mayor, to be chosen Wednesday. He reported that Dave Zabell, Steve Wilson and John Garner met with Arlington staff 7/15 to discuss RUSA issues from 2-4 PM and it was a very productive meeting. Another meeting has not been set up as yet, due to Public Works Director Zabell's vacation plans.

Parks & Recreation Director Ballew invited the City Council and Mayor to the Centex park dedication ceremony at 6 PM 8/3/92, just before City Council meeting. He gave an update on the Brookwood Park situation, stating the creek corridor has been 80% cleaned up and there are still community and DOT meetings on the horizon. He assured Council that the Brookwood neighbors would be notified by mail of the meetings and also the site will be posted, he said.

City Attorney Weed reported that he has been scheduled 8/11/92 to give a short presentation to the Planning Commission concerning the trilogy of recent land use supreme court cases. He said he would be willing and able to make it a combined meeting, if City Council wishes to meet with the Planning Commission that night also, in order to cover other issues.

JULY 27, 1992

Page 1

MARYSVILLE CITY COUNCIL MINUTES
JULY 27, 1992
Page 2

After a short discussion, it was the consensus that there should be a workshop on 8/24 at 6 PM in the Fire Training Room, prior to City Council Meeting.

Planning Director Hirashima reported that Eric Thompson arranged for a field visit to the Northpointe site/open space tract where some City Council members and some Planning Commission members attended. She said she would write up an agenda bill for next meeting concerning this. She also reported that following the meeting last week on the Sensitive Areas Ordinance, the Planning Commission would like to schedule another meeting and City Attorney Weed said he could move up his presentation, if necessary. There was discussion about time, having a workshop prior to any public hearing, having it on the 31st or the 17th of August, budget meeting being 8/20/92. It was the consensus that City Administrator Garner would come up with a date and report back to Council.

MAYOR'S BUSINESS:

Mayor Weiser named Candy Eldredge, Dispatcher and Communications Officer as Employee of the Month. Candy was cited as always being available to help with mailing lists and is presently working on the CAD computer conversion which has required a great number of extra hours.

Mayor Weiser recommended appointing George Wilcox to serve another six year term on the Planning Commission; his current term is up 8/3/92. Councilor Pedersen moved and Councilor Herman seconded that the Mayor appoint George "Bly" Wilcox to the Planning Commission for another six year term. It was noted that Mr. Wilcox had agreed to do this.

Mayor Weiser said he was glad to report that a letter has been received from the Dept. of Health stating they have lifted the water connection moratorium in Sunnyside.

Regarding Nature's Window Park, Mayor Weiser stated he talked to Bruce McKinnon of Belmark concerning a possible land swap and Mr. McKinnon is to let the City know when they are ready to improve the 10 acres adjacent to Nature's Window. Mayor Weiser said Jim Ballew has been in touch with the Snohomish Co. Parks Dept. with regard to funding, also.

CALL ON COUNCILMEMBERS:

Councilor Baxter reported his family had a picnic in Jennings Park recently and everyone thought it was a nice clean park and really enjoyed the facility. He asked about the possibility of trail markers, however.

Councilor Baxter reported 8/4/92 from 9 AM to 1 PM there will be a Water Coordinating Committee meeting and it is recommended that the City Engineer attend. Councilor Baxter talked a little bit about some of the issues being discussed at these meetings, and he said he feels they are really making progress.

Councilor Baxter referred to a letter in the packets from Fire Chief Ronning, stating the Marysville Fire District is interested in utilizing 2-3 acres at the Sunnyside Well site for a new fire station (on 71st). He pointed out the tremendous advantage a station on the top of the hill would have vs. the one originally planned at 528 & 67th. They would be able to give a 5 minute response north of Getchell Hill and a 3 minute response to Soper Hill and there would be no uphill grades, he pointed out. He

MARYSVILLE CITY COUNCIL MINUTES
JULY 27, 1992
Page 3

noted that in the winter, no uphill climbs for the fire trucks is a terrific advantage. He stated the Fire District would like to come up with an agreement with the City and Hickok Park would no longer be needed for the fire station and could be deeded to the City.

Mayor Weiser asked if this change would impose any legal problems and City Attorney Weed said he saw none.

Councilor Baxter added that there's going to be continued growth on top of the hill and with the fire station at the crest of the hill it would be a big benefit to the Sunnyside area also.

Mayor Weiser said he counted 5 fire calls that went by 47th & 528 on Sunday morning, indicating a need for a fire station in that area. He said he felt an agreement should be worked on with the Fire District.

Councilor Baxter said the Fire District would like to get the negotiations started as soon as possible in this direction.

Councilor Leighan asked about Hickok Park being the City's already and Councilor Baxter said yes, but explained it was supposed to be used for a fire station and the authority for the use of Hickok Park is under the jurisdiction of the Fire District.

Councilor Leighan asked if a developer could put houses in Hickok Park now that it's not going to be used for a fire station and City Attorney Weed said that was a good question and that he would have to check further on that.

Councilor Leighan said there was a question like this in Arlington with a railroad use and when it wasn't needed for that anymore, it reverted to the original owners and/or heirs who were able to develop it as they wished.

Councilor Pedersen commented on the light bulb gift two weeks ago and thanked Rex Walker again for his thoughtfulness. She noted that Bill White should be sent a thank you letter regarding his research and the resultant Boeing Mitigation money that has now come into the City coffers for use in road improvement. Regarding Mother Nature's Window, she asked if Bruce McKinnon was asked about potential land use, for example, if Belmark could be credited for density on some other development if they dedicated the 10 acres adjacent to Nature's Window.

Mayor Weiser said there is a possibility of this and Bruce seems very open to suggestions that the City might have.

Councilor Pedersen followed up on the Wade Price situation and Mayor Weiser reported there was a meeting the next day with Dave Zabell, Tom Loughlin, Belmark and Price and the problem was resolved.

Councilor Pedersen suggested this type of information be included in the weekly briefing.

Councilor Leighan reported he was told by a bank official that First Heritage Bank is going to buy the bikes for the Police Bike Patrol, the presentation that was given two weeks ago at Council.

Councilor Herman commended Bruce McKinnon and Mayor Weiser on their discussions about Mother Nature's Window. He asked about the Northwest Composites issue/actual water consumption.

MARYSVILLE CITY COUNCIL MINUTES
 JULY 27, 1992
 Page 4

Mayor Weiser responded that it was approximately 500,000 gallons and Councilor Herman said he understood it was now down to 200,000 to 400,000 but Mayor Weiser said they have reduced their consumption by 200,000 gallons but are still in the 500,000 range. It was agreed to bring this matter up on the next Council agenda.

Councilor Herman said with all the discussions and conditions based on the Traffic Improvement Plans in the City, he would like to see an outline depicting the actual costs per participant, location, scope of work, etc., as a reference point for Council. He thanked Eric Thompson, Jim Ballew, Gloria Hirashima and North-pointe for their time in giving the recent tour.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Dick Martin, 7414 83rd Av. NE, addressed Council, representing the 10% Walla Annexation Petition. He explained that the neighbor to the north is 90 years old and does not want to come into the City. He requested that the annexation be reduced back down to the original proposal.

It was agreed that Planning Director Hirashima would prepare an agenda bill and bring it back to Council on this.

CONSENT AGENDA:

1. 7/27/92 Claims in the amount of \$703,627.21.
2. (3) Liquor License Renewals.
3. Authorize Mayor to Sign Washington State Department of Natural Resources Easement Agreement No. 51-052673.
4. Authorize Mayor to Sign FFY 1992/93 Snohomish County Regional Narcotics Task Force Interlocal Agreement.
5. Authorize Mayor to Sign Dog Obedience Instructor Contract.

Councilor Leighan excused himself on 2 vouchers. Councilor Myers asked for further information on one of the vouchers, which Finance Director Wilson said he would follow up on. Councilor Pedersen had a question on gender in the Dog Obedience Instructor contract and Councilor Leighan asked about the remodel at the Public Works Building.

After brief discussion, Councilor McGee moved and Councilor Myers seconded to approve all 5 Consent Agenda items. Passed unanimously.

CURRENT BUSINESS:

1. **Conditional Use Permit; Harvey Jubie; PA 9203008.**

Planning Director Hirashima reviewed the request, the location and noted there is a revised short plat map (which she put up on the screen). The lot area has been revised to 10,800 sq. ft. she said and the Hearing Examiner has recommended approval with six conditions. She stated staff recommends the Council affirm the Hearing Examiner recommendation to approve.

Mayor Weiser asked about the 30' easement being included in the lot area and Planning Director Hirashima stated the total lot area would be 17,000 sq. ft. including the 30' easement; also, the variance may not have been an issue, it was required to have specific setbacks.

Councilor Herman asked about the setback from 88th and Planning Director Hirashima stated it is 30' and that Mr. Jubie has 22' from the private road, 5' from the sideyard and 70 plus fee rear yard

MARYSVILLE CITY COUNCIL MINUTES
JULY 27, 1992
Page 5

setback. She explained the map in the packets has been changed slightly to reflect the new measurements just given.

Mr. Jubie did not wish to address Council at this time.

Councilor Herman moved and Councilor McGee seconded to affirm the Hearing Examiner's recommendation for approval of the Conditional Use Permit. Passed unanimously.

2. Conditional Use Permit; Allen Currier/Greystone Development; PA 9204015.

Planning Director Hirashima reviewed the location and noted that one of the issues that came up was the presence of a wetland on Lot 1 and the applicant relocated the site plan. She stated the Hearing Examiner has recommended approval with 10 conditions and there have been no appeals.

Councilor Pedersen asked for clarification of the parks mitigation fee and Planning Director Hirashima said it should be \$100 per unit, \$200 per duplex.

Councilor Baxter asked about the requirement to hard surface as this ends up creating more runoff problems.

Councilor Herman pointed out that hard packed gravel is considered hard surfacing also and discussion followed concerning this requirement which has been on the books for some time. It was suggested that this should be brought up as a special issue at a later date.

Planning Director Hirashima noted that hard surfacing is part of the parking code and can certainly be reviewed.

Councilor Pedersen moved and Councilor McGee seconded to approve the request for a Conditional Use Permit as recommended and including the 10 conditions set forth by the Hearing Examiner. Passed unanimously.

3. Conditional Use Permit; Daryl Boersema; PA 9205023.

Planning Director Hirashima explained this request includes a rear yard set back variance and the Hearing Examiner has recommended approval with 8 conditions; staff recommends Hearing Examiner's recommendations be affirmed, she stated.

Councilor Pedersen pointed out that the applicant offered parks mitigation and asked if that could be added as a condition.

Planning Director Hirashima said she would research this as to whether \$100 per unit or \$200 per unit was offered and she referenced staff condition #5. She suggested leaving the parks mitigation in as it appears the Hearing Examiner left it out inadvertently.

Councilor Pedersen moved and Councilor McGee seconded to approve the request with the 8 conditions plus the voluntary contribution as indicated/referenced in staff condition #5 (\$200 per unit). Passed unanimously.

4. Brighton Park Binding Site Plan; David Maxwell; Harbour Homes; PA 9001005.

Planning Director Hirashima explained the preliminary site plan was approved by Council 10/7/91 and the applicant is now present-

MARYSVILLE CITY COUNCIL MINUTES

JULY 27, 1992

Page 6

ing the binding site plan for approval. She noted that the binding site plan proposes dedication of the wetlands to the City of Marysville following approval of the plat but Jim Ballew is not interested in the dedication at this time and doesn't want them included in the binding site plan. The other issue to be brought to Council's attention is that 75th must be properly vacated and right of way dedication in order to provide access, which would be a condition of the final plat approval, she said.

Councilor Herman commented on the wetland dedication and asked what would happen to it if it is not accepted by the City.

Planning Director Hirashima stated they would remain under the control of a Homeowners Association and Councilor Herman questioned whether that is the best possible protection.

Planning Director Hirashima said possibly it could be dedicated as an easement but she said she is not sure of the liability to the City in this case.

City Attorney Weed said certain conditions could be imposed on the Homeowners Association as a condition of approval for them to protect the sensitive area; he stated it was possible there could be City liability.

Councilor Herman said he would like to see a specific identification of the way the sensitive areas would be protected.

Bill Roberts, 4129 76th St. NE, addressed Council, representing the applicant. He said that with regard to protection of the wetlands, the future owners of the property would have to take it on; he said he doesn't think that's the best way to protect the wetlands but an alternative is a 25' buffer around the wetlands with the lots bordering not being allowed to build or have any major activity in the 25' buffer. He said there will or could be signs posted, for example: "This is a salmon bearing stream, please don't pollute it." He explained these are wetlands under the Army Corps of Engineers' 1987 definition.

Councilor Herman reiterated that protection must be provided for the wetlands and he said he wasn't sure the Homeowners Assn. taking on the ownership of the wetlands was the best protection.

Mr. Roberts stated that Mr. Radcke of the geotechnical consultants recommended the 25' buffer.

Councilor Herman pointed out that homeowners have a tendency to expand their property lines by inching into the buffer and the buffer disappears after a number of years.

Mr. Roberts said that according to the new wetlands ordinance, there are policing powers that can be utilized and City Attorney Weed said these wetlands are probably grandfathered in and not subject to the new wetlands ordinance, however, Council does have the right to require some conditions with regard to protection of the wetlands. He suggested Council review the Homeowners Assn. CC&Rs, for example, to insure something is in there to protect the wetlands.

Councilor Herman asked about an easement within the buffer and City Attorney Weed stated that would be an alternative; another alternative is to request some specific buffers in the CC&Rs, identifying the buffers, for example.

Planning Director Hirashima referred to the Hearing Examiner's

JULY 27, 1992

Page 6

MARYSVILLE CITY COUNCIL MINUTES
 JULY 27, 1992
 Page 7

recommendations/conditions #3 and #4 with regard to the wetlands. She said these are areas where the CC&Rs could be reviewed.

Mr. Roberts stated they would have no problem with that.

Councilor Herman asked who specifically would be responsible within the City/City Council for review of the CC&Rs and City Attorney Weed responded it would be up to the Planning Director and the City Attorney.

Mr. Roberts said they could also incorporate language from the Native Growth Protection Act and submit it to the Planning Dept.

Councilor Baxter said he thinks Council and the City should be extremely careful with this and with the City not owning the property, reviewing the CC&Rs can give the City liability in the event something happens, eg., someone was not in compliance with the CC&Rs.

City Attorney Weed said that just by reviewing the CC&Rs he is sure the City would not be liable and this is similar to the role the City will be playing with regard to the Sensitive Areas Ordinance, he pointed out.

Mr. Roberts noted the applicant will be back shortly for a vacation request for 75th Av. NE; they are awaiting the Public Works Director's return.

Councilor Pedersen asked about conditions #3 and #4 as set forth by the Hearing Examiner with respect to the wetlands and City Attorney Weed said these are really more for the construction phase vs. the long term preservation of the wetlands.

Mr. Roberts added that this was discussed at the Hearing Examiner hearing and if the City did not want it, it was discussed that it would revert to private ownership.

Councilor Herman moved to approve the binding site plan with the deletion of references of open space areas to be dedicated to the City and inclusion of CC&Rs that apply to the sensitive areas to be reviewed by the City Planning Dept. and City Attorney. Councilor Pedersen seconded the motion and it was passed unanimously.

NEW BUSINESS:

1. Wayne Potter/Krotke Annexation - 10% Petition; PA 9206027.

Planning Director Hirashima explained this is approx. 36 acres and a 10% annexation petition has been filed, representing 100% of the assessed valuation. She described the location, referring to the packets and noting that it is outside of RUSA. She added that another applicant immediately east is interested in annexing also and the boundary would then include an area east to 83rd and possibly east of that (owned by the Marysville School District), the area south of 92nd. She said there are about six property owners interested, including Jubie, Rawlins and Royal and they can get a 60% petition signed with very little effort. The total would then be about 100 acres, she said. She noted Council could

1. Set the boundary to include the original application boundary or
2. Set the boundary to extend to and include the Marysville School District property.

MARYSVILLE CITY COUNCIL MINUTES
 JULY 27, 1992
 Page 8

She noted that the Snohomish County Executive's office did not have a problem with including this area in the Preliminary Urban Growth Boundary and that the School District was being approached tonight with regard to their property.

Councilors Baxter and Pedersen both indicated they would be in favor of the larger annexation.

Councilor Baxter moved to encourage Potter and Krotke to include the Marysville School District property with the boundaries to be 92nd St. on the north, 84th St. on the south, east of the Marysville School District property and east of 83rd Av. NE and the western boundary would be as depicted on the Vicinity Map in the packets, to set the 10% petition area boundaries as drawn on the map in red and blue. Councilor McGee seconded the motion.

Planning Director Hirashima explained the Marysville School District is being approached tonight at their board meeting about their property being included in the annexation and so the City will know very soon whether they are in favor of the proposal.

Wayne Potter, 18215 72nd Av. S., Kent, addressed Council and made himself available for questions.

The motion passed unanimously.

2. Parking Restriction Request; 1500 Block Third Street.

Ronn Beams, President of the Downtown Merchants Assn., addressed Council and referred to the request and sketch in the packets. He noted they are asking that one parking stall be designated a loading/unloading zone and he said they have observed that this parking place is very underused at present and so would not harm any merchants. He said the merchants have discussed this proposal and are all in favor.

Councilor Pedersen asked about Cascade Music's access to 3rd St. and Mr. Beams explained they have parking out front and in behind.

Councilor Baxter asked about 15 minute parking being enough time for people and Mr. Beams explained most people are only need 15 minutes--they are just picking up small items, prescriptions, etc. He added he was not sure they even need 3 stalls of 15 minute parking, but there are a lot of people just coming downtown to pick up a prescription, bakery items, a spool of thread, eg.

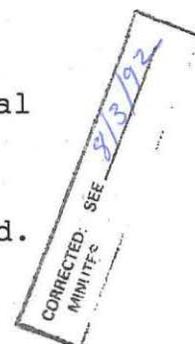
Councilor Leighan pointed out that it will probably not be patrolled every 15 minutes, either.

Mr. Beams said they understand the issue of enforcement but think people will abide by the 15 minute signs.

There was discussion about the need for a loading and unloading space, one hour limit change requested by the Downtown Merchants Assn. for the whole downtown area as turnover is necessary with the decreasing downtown corridor (customers have requested this, Mr. Beams said).

Mr. Beams added that there are a couple businesses who have a problem with a one hour limit but most of the merchants feel they will benefit from one hour parking.

Councilor Pedersen questioned the need for the restriction to be in place from 8 AM to 7 PM but Mr. Beams stated that's for the fall and Christmas season when shops are open later.



MARYSVILLE CITY COUNCIL MINUTES
 JULY 27, 1992
 Page 9

Mayor Weiser asked about the parking ordinance being redone and City Attorney Weed said he is in the process of writing a new parking ordinance and amendments concerning 3rd St., for example, would be appropriate to be included at this time.

Councilor Pedersen questioned 15 minute parking only in front of a restaurant and Mr. Beams said the merchants would probably settle for only two 15 minute stalls, one on each side of the street.

Councilor Pedersen moved and Councilor Baxter seconded to eliminate the loading and unloading space, changing it to a 15 minute parking space, also to change the parking immediately east of the handicap stall to 15 minutes on the south side of the street.

The motion passed unanimously.

ORDINANCES & RESOLUTIONS:

1. **Resolution Granting a Utility Variance for the Robert L. Johnson Property Located at the Corner of 27th Av. NE & 169th St. NE, Marysville.**

Councilor McGee moved and Councilor Leighan seconded to approve/adopt Resolution 1566 granting the utility variance for Johnson. Passed unanimously.

LEGAL MATTERS:

1. **Sunnyside Well Lease.**

City Attorney Weed said he looked into valuation of the property in order to help Council determine what would be a reasonable lease value for pasturing livestock and in checking with the County Assessor's office the 20 acre portion that is improved is valued at \$5300 per acre and the unimproved 6.68 acres is valued at \$4000 per acre. The total assessed value therefore is \$132,700 but he noted this is exempt from taxes. Another figure he saw in a newspaper is \$45 per head per mo. to rent pasture and he saw also a sign advertising pasture land for horses at \$40 per head per mo., he said. He added that this request may be impacted by the Fire District request and would recommend that the City be flexible enough so the land is not encumbered when it comes time to put a fire station in.

Councilor Pedersen mentioned the "hassle" factor and City Attorney Weed said if the City is interested, a public hearing would have to be held.

There was discussion about holding off on using this as pasture land, the fact that it could be fenced and cleaned up by a lessee, Councilor Baxter and Chief Ronning needing to take some measurements for a fire station, holding off until other property issues are worked out, Mary Swenson to let the interested parties know, the Fire District needing a commitment from the City.

Mayor Weiser commented that part of the Fire Comprehensive Plan was to look at an eastside station and Councilor Leighan asked about the time line for building the fire station.

Councilor Baxter said it could be built next year and Mayor Weiser confirmed that he remembered a projection of needing an additional station within 4-5 years and that projection was made 4-5 years ago.

MARYSVILLE CITY COUNCIL MINUTES
JULY 27, 1992
Page 10

Councilor Baxter added that an eastside fire station is very important for the growth on the east side and it should be done in the next year. He noted there is a retreat coming up in La Conner 9/17-18 and two of the topics are manpower and equipment for the Fire District.

MAYOR'S BUSINESS:

Mayor Weiser gave an update on talks with Snohomish County concerning general planning, urban growth boundaries and annexations. He said a proposal was made to the County six weeks ago at which time their concerns about revenue sharing were addressed as well as a one year moratorium on annexations; they agreed to back off on their protesting of the Northwest Annexation if the City would participate in the unfunded portion of 88th (the total unfunded portion is \$1.4 million) and if this area is annexed into the City the first year after the interchange is put in, the City's participation would be 100%, within the second year 90%, within the third year 80%, etc., unless the City gets participation from other entities. Within other annexations, the City is proposing to allow a 50-50 revenue sharing base with the County until the year 2002 and outside of the Urban Growth Boundary a 75-25 split, he said. If the Northwest Annexation comes into the City, it would be a 50-50 revenue sharing split, for example, he said.

Mayor Weiser noted that in the meeting of 7/15, the County was not really concerned with the dollar figures; their main concern is with Urban Growth Boundaries being settled. He stated they want to settle at least on an Interim Urban Growth Boundary map but Mayor Weiser said is opposed to this because "interim" so often becomes "permanent". Apparently the County feels these boundaries are necessary to do general planning and they are looking for the City to establish basically, the RUSA boundaries, except to the south to Soper Hill Rd., he said. He added they have considered calling this an "Annexation Area" instead of an Interim Urban Growth Boundary, noting the Growth Management Act gives us until 7/1/93 to finalize Urban Growth Boundaries. He distributed Draft Annexation Policies and talked a bit about the general planning process within the County, Boundary Review Board and Snohomish County Tomorrow. He noted the City has essentially completed the Comp Plan, Sensitive Areas Ordinance, traffic studies within the City but not in the unincorporated area and one of the current concerns is whether or not Marysville should plan further north than 152nd. 152nd to 172nd is an area that the County feels should be negotiated between Marysville and Arlington, with the County, he said. There would be a planning committee made up of three members from Marysville and three members from the County to do planning up to 152nd.

Mayor Weiser said he asked the County why they are opposed to the Northwest Annexation, even though it is within the "Annexation Area", complies with all the annexation policies set forth by the County. He said they were originally worried about losing taxes from that area but now are worried that 64 property owners have 60% of the property and can dictate to up to 400 property owners, which is in accordance with state law, property rights and the assessed valuation method, he pointed out. He brought up the fact that the original property owners have signed a no-protest agreement and he asked Planning Director Hirashima to check on how many no-protest agreements exist within the Northwest Annexation area. He stated the County really wanted to see this taken to a vote and that's why he asked Leifers to be here tonight; the County offered to pay for an election and said they would not oppose the annexation if the process were started all over again.

MARYSVILLE CITY COUNCIL MINUTES
 JULY 27, 1992
 Page 11

Mayor Weiser reiterated that the City has followed state law, the County's designation of land use, agreed to honor preexisting mitigation agreements, public hearing requirements, have met all County requirements but in their Annexation Policies, they reserve the right to protest the annexation. He said there have been two proposals made to the County and a general planning area has been agreed on so far, which may or may not include the triangle around Lakewood School, he said, where we have utilities and may or may not include Marysville West. He asked for direction for tomorrow's meeting and noted he feels establishing a general planning area is a step in the right direction toward the GMA deadline. He talked about the committee makeup on both sides.

Councilor Baxter reiterated that the City has complied with all the County's rules to date and after this long, he said he can't visualize the annexation process starting all over for the Leifers.

There was discussion about the time involved putting together the annexation, getting signatures, etc.

Mayor Weiser noted that the water quality is getting worse and worse the further you go north from 92nd and no protest agreements will be signed when people sign up for City water. He added that the election method would require that the whole process be started over, as it basically is a different method from the petition method.

Steve Leifer, 12709 Highway 99, addressed Council, stating they started this process about 1-1/2 years ago getting signatures for the 10% petition. To start over would not be feasible, he said, and noted it might be quicker to get for them to get their permits through the County.

Councilor Pedersen said she doesn't have any problem with the general planning area and equitable revenue sharing.

Mayor Weiser explained that the 25%-75% split would be in the County, 50-50 once it's annexed.

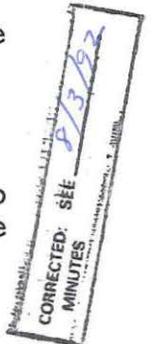
Councilor Pedersen said it's beginning to feel like the County wants to dictate to the City and it should be up to the City to make these decisions.

Mayor Weiser said he wanted to put it in one package but the City and County have different priorities. For example, if the County doesn't want to build 88th, they should have to answer to the public and not make the City of Marysville do it, he said. As far as the Krotke Annexation is concerned, the County agreed that would be in Marysville's planning area, he said.

Councilor Pedersen said it sounds like the County is changing the rules and there was discussion about calling it Interim Urban Growth Boundary vs. Annexation Area, City utilities, County negotiations, County intentions, the general planning process.

Councilor Herman said as far as annexations go, he sees a need to revisit the City's annexation policy but we are conforming to the state law and in the best interests of Marysville, we don't want to look like we are forcing people to come into the City and we should be dealing with the problems responsibly, rather than allowing the BRB to square off boundaries, for example, he said.

It was noted that with the Northwest Annexation, that will create three islands: Indian Creek Estates, Hidden Lakes II and one



MARYSVILLE CITY COUNCIL MINUTES
 JULY 27, 1992
 Page 12

other. There was discussion about benefits of being in the City versus the County, even though it may cost a property owner \$45 a year more to be in the City; there are other benefits and the City needs to educate the public in this regard. The focus needs to be on services, protection of quality of life, Mother Nature's Window is not within the City limits, for example, but something the City needs to be looking at in a long range plan.

Councilor Pedersen noted that one of the things she would like to see Roger Kelley doing is talking about the things the City is doing about traffic, press releases about what we are planning, getting a brochure done regarding annexation.

Mayor Weiser talked about the meeting at Marshall School last Wed. night and said there were questions that were asked about water, sewer, roads, taxes; maybe we need to take more information to these meetings, he said, for example, regarding the 88th St. interchange.

Councilor Pedersen pointed out that one of the things the City provides is an opportunity for the tax dollars to be spent locally --for example, road repair.

Mayor Weiser said the Interim Annexation Policies are going to be redrafted and he asked about the Leifer Annexation--did the Council wish to have it proceed as planned to the BRB 8/20/92?

Planning Director Hirashima handed out maps of the Interim Annexation Area and Mayor Weiser referenced this map, noting the proposed general planning area and annexation area (all the way down to Soper Hill Rd.).

Planning Director Hirashima noted the Council had reviewed the short form of an interlocal agreement with the County at one time and the Planning Dept. would like some direction with regard to this, also, she said.

Mayor Weiser talked more about the Northwest (Leifer) Annexation, noting that it is designated single family in the County, industrial park in the City's Comp Plan. He said he pointed out in the meeting that the City feels this area is in transition.

There was discussion about the County protesting this annexation and zoning for a number of years with the City not having made any changes to warrant their protests, discussion about the Comp Plan designation, the interlocal agreement between the County and City (City Attorney Weed pointed out this is a policy only); intent was originally that there would be agreement at the Boundary Review Board hearings between the City and the County and they wouldn't be in opposition to each other in the public eye. It was noted that out of 45 annexations that have gone before the Boundary Review Board, the County opposed all of them and 43 were approved by the Boundary Review Board, despite opposition and protest from the County. There were comments about the Boundary Review Board wanting to see regular boundaries and the consensus was that the "Joint Planning Area" was agreeable and not to start the Leifer process over again. There were more comments about the seeming need for the County to protest every annexation that goes before the Boundary Review Board.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:50 PM

1. Pending and Potential Litigation.
2. Real Estate.
3. Personnel.

RECONVENE AND ADJOURN: Approx. 10:55 PM

MARYSVILLE CITY COUNCIL MINUTES
JULY 27, 1992
Page 13

Accepted this 3rd day of August, 1992.

David W. Wiese

MAYOR

Mary B. Swenson

CITY CLERK

Wanda K. Swenson

RECORDING SECRETARY