

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING JANUARY 3, 1994 00156

CALL TO ORDER: 7:00 p.m.

OATH OF OFFICE: Councilmembers McGee, Myers, Baxter & Pedersen

ROLL CALL: All present

MINUTES OF PREVIOUS MEETINGS: 12/13/93 & 11/29/93 Apprvd

AUDIENCE PARTICIPATION: Roger Burton & Katy Reed
Towne Centre Community Museum

STAFF'S BUSINESS:

MAYOR'S BUSINESS:
1. Proposed Jt.Mtg. w/Msvl.School Bd.- No date set yet

CALL ON COUNCILMEMBERS:

PRESENTATION: None

PUBLIC HEARINGS: None

REVIEW BIDS: None

CURRENT BUSINESS:
1. Election of Mayor Pro Tem Donna Pedersen reelected

NEW BUSINESS:
1. Selection of Elected Official Otto Herman reelected
to Represent Marysville at CT Mtg.

CONSENT AGENDA:
1. Liquor Lic. Renewals for Albertson's, Circle K, 1st Stop Deli, Jackpot #158 & Jackpot #160 Approved
2. 1/3/94 Claims - \$407,943.74 Approved

ORDINANCES & RESOLUTIONS:
1. Ord. Rezoning Pedersen Property Ord. 1977 Approved
for Prel. Plat "Sunnybrook III"
2. Res. granting Util. Var. for Res. 1661 Approved
Lindsay Property, Arlington
3. Res. granting Util. Var. for Res. 1662 Approved
Newcomb Property, Arlington
4. Res. establ. Stop Sign at 67th Res. 1663 Approved
& 74th Dr. NE
5. Res. granting Util. Var. for Res. 1664 Approved
Davis Property, Marysville
6. Res. denying Whiskey Top Rezone Res. 1665 Approved
7. Res. granting Util. Var. for Cont. to 1/10/94
Tulalip Tribes Casino Complex

LEGAL MATTERS:
1. Tulalip Land Fill Review/Borings Approved
2. Addendum to Hammond Collier Wade Approved
Comp. Water System Plan & Util.
Rate Study Consultant Services
Agreement

ADJOURNMENT INTO EXECUTIVE SESSION: 8:27 p.m.
Personnel, R.E. & Pending Litigation No Action

RECONVENED & ADJOURNED: 9:30 & 9:31 p.m.

MARYSVILLE CITY COUNCIL MEETING

00157

JANUARY 3, 1994

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor
Councilmembers:
Donna Pedersen, Mayor Pro Tem
Ken Baxter
John Myers
Dave McGee
Donna Wright (8:03 p.m.)
Mike Leighan
Otto Herman
Administrative Staff:
Dave Zabell, City Administrator
Gloria Hirashima, City Planner
Steve Wilson, Finance Director
Grant Weed, City Attorney
Wanda Iverson, Recording Secretary
Special Guest: Judge Jim Allendoerfer

CORRECTED: SEE 1/10/94
MINUTES

CALL TO ORDER:

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

OATH OF OFFICE:

Judge Allendoerfer administered the Oath of Office to each of the following Councilmembers individually: Councilmembers McGee, Myers, Baxter and Pedersen.

ROLL CALL:

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

MINUTES OF THE PREVIOUS MEETINGS:

On page 4 in the 2nd paragraph of the Council Minutes of 12/13/93, Councilor Pedersen pointed out the word should be "grading" not "brading". On page 9, in the 5th paragraph, she asked that the last two words "and eligibility" be deleted.

Councilor Herman noted on page 6, 2nd paragraph, it should be Ann Robison, not "Robbison". In the 2nd paragraph of page 9, he asked that the last sentence of that paragraph be changed to read: "He noted a couple weeks ago Council discussed ag being permissible in 12,500....." and in the last paragraph on page 9, that "it allows 9600 lots" be changed to "it allows smaller lots."

There being no further corrections, Councilor Herman moved and Councilor McGee seconded to approve the 12/13/93 regular Council meeting minutes as corrected. Passed unanimously.

On page 9 of the 11/29/93 Comp Plan Workshop Minutes, Councilor Pedersen noted two typos in the in the 10th paragraph: "leving" should be "leaving" and "propertyh" should be "property".

On page 8, Councilor Herman asked that the 5th paragraph be changed from "Councilor Herman agreed...." to (delete "Councilor Herman agreed and") "The majority opinion was that the Community Commercial designation would be retained for the 4 pieces at or near 64th & 67th, as previously discussed."

There being no further corrections, Councilor Myers moved and Councilor Pedersen seconded to approved the Comp Plan Workshop Minutes of 11/29/93 as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

Roger Burton and Katy Reed of the Towne Centre Community Museum Association addressed Council. They presented a handout and explained the proposal is to purchase the IOOF Building at a cost



of \$392,800 ^{s/b to} and raise \$1 million from within the community to do that as well as renovate the building and purchase the property adjacent to the building for a parking lot. The IOOF building is the only building in Marysville on the National Historic Register and it was explained they wished to house an art and culture museum there. Their plan is to raise the \$1 million by June as the option to purchase will expire at that time. Mr. Burton stated they are working with the City for the grand opening (being allowed to have temporary occupancy) 11/11/94 and in the meantime, there will be a planning meeting in the Towne Centre Mall Community Room 1/8/94 (Sat.) at 1 p.m. He also asked about a sign variance for a "thermometer" to show how much is being collected for the museum, to be placed at the old Chamber Caboose. He said they wished a sign 40 sq. ft. vs. 32 sq. ft. in the sign ordinance and for 120 days vs. 30 days in the sign ordinance.

There was discussion about this process and he was advised that he needs to go through the Hearing Examiner process and file an application with the Planning Dept. for the variance to the sign code.

Mr. Burton noted they have a non-refundable deposit coming up of \$5,000 towards purchase of the building for the first month, \$2,000 a month after that; they are not asking the City for money but for their general support and endorsement in what they are doing.

Councilor McGee asked about their plans for raising the \$1 million by May and Mr. Burton said they will be going to the public and private sectors for contributions to a tax deductible, non-profit organization. He stated it is going to be a facility that will be "free" to the public to come and visit and they hope to be able to also raise money through grants.

Councilor Pedersen asked if they have officially applied for a variance yet and Mr. Burton said they hadn't. City Planner Hirashima clarified that he needs to file that before the matter comes before the Council.

Councilor Pedersen asked who would actually be purchasing the property and Mr. Burton said it would be Towne Centre Community Museum but they are going to be asking the public to suggest alternative names for the organization. It was noted that Roger Burton, Katy Reed and Ebey Walters are current officers of the Towne Centre Community Museum.

Ms. Reed noted they do have the paperwork done on the sign variance request, along with a profit and loss statement that's available for anyone to look at.

Councilor Baxter asked what would happen to the deposits if they don't raise the money and whether the deposits will be forfeited; Ms. Reed said they would be forfeited, yes.

Mr. Burton pointed out the fact that they have learned there is a large need in the community for a facility such as this for wedding receptions and banquets, in addition to the museum and they feel they will get the needed financial support from the community as a result.

Councilor Pedersen asked who quoted the renovation costs and Mr. Burton said the real estate agent, based on other buildings in the area. He presented a newspaper article about a building renovated in Everett, a building comparable to the IOOF building and he talked a bit about the need to have new architectural drawings made and the cost and process.

Ms. Reed added that they are looking for bids for repair but first wanted to bring this before the City Council for approval/support.

Councilor Pedersen commended them for trying to preserve the IOOF Building.

There was discussion about the caboose still being leased by the Chamber of Commerce, 70% of the value of the property being renovated. City Planner Hirashima said she would check the files with regard to the old engineering reports and inspections and the Towne Centre Community Museum Assn. would be welcome to that information.

Mr. Burton explained about the World War II exhibits and posters that people want to put in the museum and Ms. Reed added she is the Chairperson for the Commemorative Committee for the 50th Anniversary of World War II.

Councilor Baxter asked about an appraisal of the building and Mr. Burton stated they don't have a current one but hope to buy one that's 2 years old. \$392,000 is the asking price for the building at this time, he said.

STAFF BUSINESS:

City Administrator Zabell reported on the Christmas tree recycling program, noting 1732 trees have been chipped so far and the cub and boy scouts will be picking up trees again this coming weekend. He reported also on the 94th & State traffic signal project, stating it is under design by Perteet Engineering, the project will be going to bid in May and is scheduled to be completed by Dec/94. He asked for RSVPs to the Washington Cities Legislative Conference 2/2/94 & 2/3/94.

City Planner Hirashima reminded Council of the Comp Plan Workshop tomorrow night in the Fire Training Room at 6 p.m.

MAYOR'S BUSINESS:

Mayor Weiser noted it has been proposed to have a Council and Marysville School Board joint meeting to discuss solutions to the youth and gang problems in Marysville. Several ideas came up:

- To have the joint meeting in late March or early April
- To decide on when, where and length of meeting
 - a school district facility is a possibility
- To have representation from the Police Dept./Youth Gang Task Force
- To have a presentation at Council prior to the joint mtg. to give the joint meeting some direction

Mayor Weiser to follow up further with the police dept. and school district.

CALL ON COUNCILMEMBERS:

Councilor Leighan asked about the household battery recycling and City Administrator Zabell said he would follow up on this.

Councilor Leighan reported on a Youth Gang Task Force presentation coming up January 24th. He then gave a Parks update including the Northpointe Community Park. He commented on the new library building and the need to have a more definitive design with respect to room for computers. He noted the trend now is for schools and libraries to put all their reference materials on computer. There was also discussion about the new library roof not being flat and Councilor Pedersen said she would follow up on both these items.

Councilor Pedersen asked about the neighborhood meeting re Brookwood Heights street parking changes. City Administrator Zabell said he would follow up on this for her and let her know when the meeting will be held.

Councilor Pedersen asked about letters of interest received from those wishing to serve on the Planning Commission and Mayor Weiser

said he had received 2 letters and 2 phone calls and was planning on making a presentation next Monday night regarding the Planning Commission openings.

Councilor McGee asked when the next Golf Board Committee meeting will be held and Mayor Weiser said he would try and set it up for early next week.

PETITIONS & COMMUNICATIONS:

Mayor Weiser referred to a letter received from the Juvenile Justice Dept. asking if the City Council wishes to still support the levy for the Denny Youth Center; it will be on the February ballot for \$16 million to build a new facility. The question was whether Council wants another presentation and the consensus was not to have another presentation but to continue to support the project as was stated to the Juvenile Justice Dept. in the past.

CURRENT BUSINESS:

1. Election of Mayor Pro Tem.

Mayor Weiser explained the process, noting 4 affirmative votes are required to elect a Mayor Pro Tem. He asked if the Council wished to wait until Councilor Wright had arrived and it was decided that because she had not indicated an interest in the position, it would be appropriate to have the election in her absence, unless a lack of the required number of votes occurred. Mayor Weiser asked for nominations.

Councilor Myers nominated Councilor Pedersen for Mayor Pro Tem. Councilor Baxter nominated Councilor McGee for Mayor Pro Tem. Councilor Herman asked that the nominations be closed. A show of hands revealed Councilor Pedersen received 4 votes and Councilor McGee received 2 votes, thereby electing Donna Pedersen, Mayor Pro Tem for another year.

Mayor Weiser stated he will be out of town January 24 and Mayor Pro Tem Pedersen will need to fill in then.

NEW BUSINESS:

1. Selection of Elected Official to Represent Marysville at Community Transit Meeting.

Councilor Herman, the current CT Board member and Marysville representative, described the need for a representative to go to the meeting every 2 years. He stated ~~medium and small cities are represented but~~ 2 years ago when he attended, he was disappointed that there were some cities not represented. He said of particular concern is that there are some really tough issues that need to be decided; he attended 74 meetings last year, so it does represent a considerable time commitment on the part of the representative. He noted a recent CT management audit was specifically concerned about the board of directors long range continuity and he added that he would like to continue to serve on the CT Board of Directors.

Councilor Pedersen stated she thinks Councilor Herman has done a good job and if he is interested, she would like him to continue.

Councilor Baxter agreed.

Mayor Weiser said the process would be to send Councilor Herman's name in with a letter of recommendation from the City of Marysville. He asked for a motion.

Councilor Wright arrived at 8:03 p.m.

Councilor Pedersen moved to name Councilor Herman as the City's representative at the 1/27 meeting and recommending his reelection

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CORRECTED: SEE 1/10/94
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to the Community Transit Board of Directors. Councilor Leighan seconded and the motion passed unanimously.

CONSENT AGENDA:

1. **Liquor License Renewals for Albertson's, Circle K, First Stop Deli, Jackpot #158 and Jackpot #160.**
2. **Jan. 3, 1994 Claims in the amount of \$407,943.74.**

There were several questions: regarding Vouchers 01290, 18075, 18080, 18084, 04160, 18036. City Administrator Zabell said he would get back to Council re a couple of questions they had.

Councilor Pedersen moved and Councilor Wright seconded to approve Consent Agenda Items 1 & 2. Passed. Councilor Leighan abstained from voting on Voucher #18197 and Councilor Baxter abstained from voting on Voucher #18148.

ORDINANCES & RESOLUTIONS:

1. **Ordinance Rezoning Property Owned by Richard & Donna Pedersen, and Approving the Preliminary Plat for the Subdivision of Sunnybrook III.**

Councilor Herman moved and Councilor Leighan seconded to approve/adopt Ordinance 1977. Passed. (Councilor Pedersen did not vote.)

2. **Resolution Granting a Utility Variance for the Mary E. Lindsay Property Located at 3304 186th Pl. NE, Arlington.**

Councilor Wright moved and Councilor Pedersen seconded to approve/adopt Resolution 1661. Passed with Councilor Leighan opposed.

3. **Resolution Granting a Utility Variance for the Carrie Newcomb Property Located at 3320 186th Pl. NE, Arlington.**

Councilor Myers moved and Councilor Wright seconded to approve/adopt Resolution 1662. Passed with Councilor Leighan opposed.

4. **Resolution Establishing a Stop Sign at the Intersection of 67th Pl. NE & 74th Dr. NE.**

Councilor Leighan moved and Councilor Herman seconded to approve/adopt Resolution 1663. Passed unanimously.

5. **Resolution Granting a Utility Variance for the Don Davis Property Located at 5503 100th St. NE, Marysville.**

Councilor Pedersen moved and Councilor Myers seconded to approve/adopt Resolution 1664. Passed unanimously.

6. **Resolution Denying Application for Rezone, Preliminary Site Plan and Preliminary Plat for Property Owned by Keith and Ruth Walla/Whiskey Top, Inc. for the Proposed Plat of Whiskey Top.**

Councilor Myers moved and Councilor Baxter seconded to approve/adopt Resolution 1665. Passed with Councilor Wright opposed.

7. **Resolution Granting a Utility Variance for the Tulalip Tribes of Washington for Property Located at the Proposed Tulalip Casino Complex between 27th Av. NE and I-5 and 105th St. NE and 116th St. NE, Marysville.**

Councilor Baxter asked if the City has enough information about the Tulalip program west of the freeway so we can approve the resolution with a problem.

City Administrator Zabell explained it is his understanding the Tulalip Tribes plan two phases, with Phase I being to set up the site and facility for the casino and restaurants/boutiques.

City Attorney Weed stated there were discussions about the scope of the project and defining this in the resolution needs to be done still. Councilor Baxter noted that even the information in the RUSA meetings is short of the Tulalip goals.

City Attorney Weed said the property there is covered and any expansion of what is contemplated would have to come back before Council. He added the Tulalips' environmental assessment is being referenced and some language should be revised in the resolution; he could bring that back at the next Council meeting, he offered.

Councilor Baxter said he would prefer that method to eliminate any future problems.

City Administrator Zabell noted Phase II referred to an RV Park.

Councilor Baxter moved to delay approval of the resolution until brought back by the City Attorney next meeting. Councilor Myers seconded and the motion passed unanimously.

LEGAL MATTERS:

1. Tulalip Land Fill EPA Review.

City Attorney Weed explained the Tulalip Tribes' consultants want to take borings for ground water and soil samples from certain City properties. He said they have worked out a hold harmless agreement, acceptable to the consultants and the City for the 3 sites where they wish to do the borings: 2 on the 30 acres on the Tulalip Reservation that the City owns and 1 on the property at the 47th Ave. NE and 1st St. Bypass alignment. He added the PRPs have agreed to do the tests under an agreement and authority for the access agreement needs to be signed by the Mayor. The City would have access to the test results at no cost to the City, he said.

There was discussion about the City never having used the property at 47th Ave. NE and the 1st St. Bypass.

Councilor Baxter moved and Councilor Leighan seconded to authorize the Mayor to sign the access agreement as outlined and approved by the City Attorney. Passed unanimously.

2. Addendum to Consultant Services Agreement for Comprehensive Water System Plan & Utility Rate Study Dated May 10, 1993; Hammond, Collier, Wade-Livingstone Assoc. Inc.

City Administrator Zabell explained the need to extend the agreement, to have the Utility Rate Study done by March 1 and the Water System Plan done by May 1, at no additional cost to the City. He explained there is a scope of work outlined in the agreement and there is no additional work involved in the extension, it is merely an extension of time for the consultants. He added there is a maximum amount stipulated in the agreement, in response to Councilor Pedersen's question about the City being assured of no additional expense here.

Councilor Baxter moved and Councilor McGee seconded to authorize the Mayor to sign the addendum to the agreement and the motion passed unanimously.

ADJOURNED INTO EXECUTIVE SESSION: 8:27 p.m.

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| 1. Real Estate. | No Action |
| 2. Pending Litigation. | No Action |
| 3. Personnel. | No Action |

RECONVENED & ADJOURNED: 9:30 & 9:31 p.m.

Accepted this 10th day of January, 1994.

David Weiser
MAYOR

May S. Swenson
CITY CLERK

Manda A. Swenson
RECORDING SECRETARY