

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING

OCTOBER 10, 1994

CALL TO ORDER:

7:00 p.m.

ROLL CALL:

Councilmember Baxter excsd

MINUTES OF PREVIOUS MEETINGS:

10/3/94 Minutes Approved

AUDIENCE PARTICIPATION:

Ross Jenkins, Michael Prill, Clara Hartwell and Kimberly Phillips

CONSENT AGENDA:

Approved:

1. Affirm the Hearing Examiner's Recommendation for a Conditional Use Permit; Arrow Machining: PA 9406028.
2. Affirm Hearing Examiner Recommendation to Approve Rezone - Jess Darling - PA 9405025.
3. Approve Sept. 1994 Payroll in the amount of \$505,039.33.
4. Approve 10/10/94 Claims in the amount of \$439,054.58.

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

1. Family Month Proclamation. Month of November
2. Safety Fair Day Proclamation. Oct. 22, 1994

CALL ON COUNCILMEMBERS:

PRESENTATION:

None

PUBLIC HEARINGS:

None

REVIEW BIDS:

None

CURRENT BUSINESS:

1. Marysville Library Alternates All 6 Approved
2. Applewood Homes; Request for Comp Sign Plan Approved

NEW BUSINESS:

1. Professional Services Contract; 1995 Water System Improvements; 6 Million Gallon Reservoir, etc. Approved
2. Preliminary Plat & Rezone; Whiskey Top; PA 9403011 Public Hearing set for 11/7/94

ORDINANCES & RESOLUTIONS:

1. Ordinance Annexing Brennick Property - Ord. 2006 Approved
2. Resolution Relating to Unfunded Federal Mandates Resolution 1708 Approved
3. Resolution of City of Msvl. declaring intent to form LID #64 for improvement of portion of 67th Av. NE & 88th St. NE Resolution 1709 Approved

LEGAL MATTERS:

1. G.C. Finn Const. Co. Contract for Construction of Library Approved
2. PUD Request for Easement To be further negotiated by City Attorney

ADJOURNMENT INTO EXECUTIVE SESSION:

8:27 p.m.

1. Personnel
2. Real Estate

See Minutes

RECONVENED & ADJOURNED:

8:55 & 9:05 p.m.

Councilmember Wright asked about whether or not the kids would be willing to pay a user fee and Mr. Jenkins said it would be better if they didn't have to pay.

Councilmember Wright asked how the kids would feel about out of towners using the skateboard park and Mr. Jenkins stated he felt that would be OK.

Councilmember Pedersen asked how many skateboarders Mr. Jenkins estimates are in the area, that would benefit from this and he said there are more than those who have come tonight (about 50 in the audience). He said there is also a younger element of kids, also, like 9-14.

Michael Prill, 10526 56th Av. NE, Marysville, addressed Council. He explained that he is kind of the spokesman for the group, although they are not really organized.

Councilmember Pedersen asked if he sees this group continuing to stay interested in using the skateboard park and Mr. Prill said yes, he is 17 but there are 9 year olds who skateboard and when they turn 17 or so there will be more 9 year olds to replace them.

Councilmember Leighan noted Mr. Prill was at a recent meeting and Mr. Prill said he would like to be part of the group that organizes things.

Clara Hartwell, 8330 27th Av. NE, addressed Council, noting she would like to address the concern about the City being in competition with Charlotte Groves' Skate Inn. She stated she just spoke with Charlotte Groves and Mrs. Groves is not sure the kids are serious but Ms. Hartwell assured Council they are and once Mrs. Groves sees they are serious about things, she will support it, Ms. Hartwell feels, she said and added that right now Mrs. Groves probably doesn't have enough facts about the park on which to base a decision or opinion.

Mayor Weiser noted the Council has indicated they want to get this project off the ground and he thanked the whole group for attending City Council.

Kimberly Phillips, 5710 64th Av. NE, addressed Council as a parent and noted there is going to be more parental support now that they know this is in the works.

Mayor Weiser said the City will try and get the word out about future meetings.

CONSENT AGENDA:

1. **Affirm Hearing Examiner's Recommendation for a Conditional Use Permit; Arrow Machining; PA 9406028.**
2. **Affirm Hearing Examiner's Recommendation to Approve Jess Darling Rezone; PA9405025.**
3. **Approval of Sept. 1994 Payroll in the amount of \$505,039.33.**
4. **Approval of 10/10/94 Claims in the amount of \$439,054.58.**

Councilmember Herman moved and Councilmember Wright seconded to approve Consent Agenda Items 1, 2, 3 & 4. Passed unanimously. (Councilmember Leighan abstained on Voucher #21591.)

STAFF BUSINESS:

City Administrator Zabell noted the new phone system (Centrenet) was installed over the weekend; that the preconstruction meeting was held today on the library and they expect to have a ground breaking ceremony in a couple of weeks.

CORRECTED: SEE 10/24/94 MINUTES S/h those who had not helped or worked on the skateboard Park project.

City Planner Hirashima reported the Planning Commission is working on the parks element of the Comp Plan as well as the transportation element.

Public Works Director Winckler reported there will be a North Snohomish County Quality Water meeting 10/12 and the Traffic Advisory Committee meeting of 10/13 has been canceled. He reported on the repair of the water line at 528 & 83rd--it was actually a mechanical reducer joint that needed tightening, total cost of repairs \$5,000 and repairs were completed in 2 days, he said.

Mayor Weiser asked him to follow up on a 4 way stop at 51st & Grove and also with regard to a jake brake ordinance.

MAYOR'S BUSINESS:

Mayor Weiser read a Proclamation proclaiming November Family Month. Councilmember Bartholomew moved and Councilmember Wright seconded that this be adopted. Passed unanimously.

2. Mayor Weiser proclaimed October 22, 1994 Fire Safety Day, by way of a Proclamation which he read. Councilmember Pedersen moved and Councilmember Herman seconded to adopt this Proclamation. Passed unanimously.

CALL ON COUNCILMEMBERS:

Councilmember Pedersen reported the date for the formal ground breaking for the new library is October 21 at 3 p.m. She asked about the 4 way stop at 64th & 67th and Public Works Director Winckler said there has been no word back as yet from DOT but that staff is following up on this.

Councilmember Pedersen asked about a sign "Children at Play" and Public Works Director Winckler explained this had been discussed by the Traffic Advisory Committee and he said his information is that this sign makes it sound like it's OK for children to play in the street but he would check further with the City Engineer.

City Administrator Zabell added that "Children At Play" is not a legal sign; however "Deaf Child Area" is a legal sign.

There was discussion about different areas that are eligible for pedestrian crossing signs, Parkside Manor by the park, area near new school, curbs, gutters and sidewalks.

Councilmember Myers said he has a concern about a place where they could use a "Deaf Child Area" sign. He said he would let staff know the exact address tomorrow as he didn't have it with him tonight. With regard to the attendance tonight of all the skateboarders, he said he wanted Council to know just how much interest there is.

Councilmember Bartholomew referred to a Seattle Times story regarding cities being allowed to negotiate to get cable rates down; Edmonds is the first city to do this and it's resulted in a substantial savings for that city, she said.

Councilmember Pedersen added that as she understands it, each city has the right to negotiate with the local cable company and Marysville might want to work with them on various issues.

Councilmember Bartholomew reported that the County District Court System study that was to be done will probably not be completed until the end of April now.

Councilmember Herman reported there was a special meeting last week with representatives from Community Transit, Everett Transit and legislative folks regarding whether a merger is feasible and there has been a committee formed.

Councilmember Leighan asked Councilmember Myers to report on the recent car show he helped put on. Councilmember Myers reported there were 23 entries and 4 trophies were given out, mostly for the youth but they may have to have a trophy for adult entries in the future. He said they get more and more of a response to this each year which is gratifying.

PETITIONS & COMMUNICATIONS: None.

PRESENTATIONS: None.

PUBLIC HEARINGS: None.

REVIEW BIDS: None.

CURRENT BUSINESS:

1. Marysville Library Alternates.

Councilmember Pedersen gave a brief report and noted it was recommended that all six alternate bid items be approved. Mayor Weiser asked about #2.

Ross Jamieson of the Lewis Architect Co. explained that basically along the spine of the ceiling (5,000 to 6,000 sq.ft.) would be done in cedar tile.

Councilmember Pedersen moved and Councilmember Leighan seconded to approve the six alternate bid items for the library, as recommended by the committee. Passed unanimously.

2. Applewood Homes; Request for Comprehensive Sign Plan.

City Planner Hirashima reviewed the agenda bill and noted there would be no sight obstruction, the sign would be 6' high. With the amendment, sight obstruction would be the main standard, she explained.

Councilmember Pedersen asked if the Planning Commission will be in the process of reviewing the sign code and City Planner Hirashima responded that was not one of their priorities at this time.

Councilmember Pedersen moved and Councilmember Bartholomew seconded to approve the comprehensive design plan except for the setback reduction. Passed unanimously.

Councilmember Pedersen then made a motion for a minor amendment to the sign code to be drafted by the City Attorney with regard to setbacks from the right of way, for this case only. Councilmember Herman seconded and the motion passed unanimously.

NEW BUSINESS:

- 1. Professional Services Contract; 1995 Water System Improvements; 6 Million Gallon Reservoir; 20" Transmission Main (Inlet Pipe) from 84th St. NE to Reservoir; 20" Transmission Main (Outlet Pipe) from Reservoir to 67th Av. NE.**

Public Works Director Winckler reviewed the agenda bill and Mr. Harry Dunham, 2375 130th Av. NE #200, Bellevue, WA 98005 of

Montgomery Watson made himself available for questions.

City Attorney Weed explained he has reviewed the contract and the consultants have incorporated all his recommendations.

Councilmember Leighan asked about the completion date and Public Works Director Winckler said it's critical that the 12/31/95 deadline be met and there was brief discussion about condemnation. City Attorney Weed said he would be updating Council on the condemnation issue in Executive Session.

Councilmember Myers moved and Councilmember Bartholomew seconded to approve the contract with Montgomery Watson/Hammond, Collier and Wade-Livingstone for engineering services for the 1995 Water System Improvements as recommended by staff. Passed unanimously.

2. Preliminary Plat & Rezone; Whiskey Top; PA9403011.

City Planner Hirashima reviewed the agenda bill, noting this is a straight plat and rezone and not a PRD. The Comp Plan designates this area for medium density single family with 3-4 dwelling units per acre, 9600 sq.ft. lots if sewers are utilized, she said. She noted several appeals were received by the deadline (included in the packets), plus one appeal letter just received and handed out this evening. She said letters against the rezone have been received from Edgertons, Doanes, Petterssons, Finks, Rose Hunter, Arlene Rohde and Jim McClennan.

Councilmember Pedersen asked about Edgerton's letter and whether there are any new objections and City Planner Hirashima said basically there are no new objections to what they stated before.

After further discussion about the road stub off/cul de sac, storm water runoff, reasoning that when there is significant public objection there should be a public hearing.

Councilmember Herman moved that a public hearing be set for 11/7/94 and Councilmember Bartholomew seconded the motion.

After further discussion, the motion passed with Councilmembers Wright and Pedersen against.

Councilmember Bartholomew noted there may be owls on the property and the ~~City needs to look at the letter that just came in.~~
City Council received a *addressing the issue.*

CORRECTED: SEE 10/24/94 MINUTES

ORDINANCES & RESOLUTIONS:

1. Ordinance Annexing Certain Unincorporated Area Known as the James Brennick Property Annexation Area into the City of Msvl.

Councilmember Herman moved and Councilmember Leighan seconded to approve/adopt Ordinance #2006. Passed unanimously.

2. Resolution Relating to Unfunded Federal Mandates.

Councilmember Wright moved and Councilmember Myers seconded to approve/adopt Resolution #1708. Passed unanimously. (There was discussion about distribution of this resolution to key people.)

3. Resolution of the City of Marysville Declaring Its Intention to Initiate the Formation of LID No. 64 and to Order the Improvement of a Portion of 67th Av. NE & 88th St. NE & to Create a Local Improvement District to Assess the Cost & Expense of Carrying Out Such Improvements.

Councilmember Pedersen moved and Councilmember Myers seconded to approve/adopt Resolution #1709. Passed with Councilmembers Herman and Leighan against.

LEGAL MATTERS:

1. G. C. Finn Const. Co. Contract for Construction of the Marysville Library.

City Attorney Weed said he's reviewed the agreement and it's been properly executed by the contractor. He said he recommends the Mayor be authorized to execute it now. As far as the alternate bid items are concerned, they will be covered under a change order, he said and it was noted there will be weekly contractor meetings; there was discussion about current problems with sealant in the Sno Isle Library Addition.

Councilmember Pedersen moved and Councilmember Myers seconded to authorize the Mayor to sign the contract with G. C. Finn Construction Co. as recommended. The motion passed 5-1 with Councilmember Herman against.

2. PUD Request for Easement.

City Attorney Weed reviewed the request for easement for a transmission line on 88th St. NE. He said he had recommended a couple changes, i.e. that the City be allowed to remove or relocate the power pole/line in the event of any City street projects with the City providing an alternate location and that the easement would not be superior to a bank mortgage.

There was discussion about compensation, legal description, this being a part of the Plat of Quil Lane and needed in connection with the 88th St. Interchange, also PUD wants to remove one maple tree, it was noted.

Councilmember Herman said he would like to see PUD have to mitigate removal of trees and to have the City Attorney directed to further negotiate with PUD in this regard.

Councilmember Herman so moved and Councilmember Bartholomew seconded. Passed unanimously.

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

1. Personnel.
2. Real Estate.

RECONVENED: 8:55 p.m.

Councilmember Myers moved and Councilmember Leighan seconded to authorize the Mayor to execute an amendment to the lease with the Chamber of Commerce for the caboose. Passed 6-0.

There was also brief discussion about the status of TCI equipment and the impact of future technology with the potential of renegotiation of the contract. City Attorney Weed to review reopener clauses of the TCI contract.

ADJOURNED: 9:05 p.m.

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Accepted this 24th day of October, 1994.

David Weiser

MAYOR

Lillian Lein

DEPUTY CITY CLERK

Wanda A. Iverson

RECORDING SECRETARY