

MINUTES RECAP

SPECIAL MARYSVILLE CITY COUNCIL MEETING JUNE 6, 1995

00114

CALL TO ORDER: 7:30 p.m.

ROLL CALL: Mayor Weiser excused

MINUTES OF PREVIOUS MEETINGS: 5/22/95 Council Minutes  
Approved

AUDIENCE PARTICIPATION: John Klacell, Tulalip  
Tribes

CONSENT AGENDA: Approved:

1. Approval of Preliminary Plat/Rezone; Whiskey Ridge;  
PA 9203011.
2. Approval of Conditional Use Permit; City of Marysville Water  
Reservoir; PA 9503018.
3. Approval of Agreement for Consulting Services Portable  
Standby Power Generator for Five Sites.

STAFF'S BUSINESS:MAYOR'S BUSINESS:

1. Flag Day Proclamation June 14, 1995

CALL ON COUNCILMEMBERS:PRESENTATIONS:

1. City Hall Feasibility Study Continued to 7/10/95 or  
7/24/95

PUBLIC HEARINGS:

1. Kellogg/Marsh Annexation Continued to 8/28/95

REVIEW BIDS:

1. 360 Zone (6 MG) Reservoir Approved

CURRENT BUSINESS:

1. Marysville Citizens Review Comm. Approved  
on Adult Entertainment Work Plan
2. Van Assche Annexation; 10% Approved  
Petition, cont. from 5/22/95

NEW BUSINESS:

1. Shoreline Substantial Development Continued to 6/26/95  
Permit; Welco Lumber; PA9501003
2. Mural Painting; Public Safety Bldg. Approved
3. Cedarcrest Golf Course Master Plan Approved  
Contract
4. Discussion regarding Initiative & Cont. to 7/6/95 Workshop  
Referendum Powers of Cities 6:30 p.m.

ORDINANCES & RESOLUTIONS:

1. Ord. affirming Hearing Examiner Ord. 2029 Approved  
Decision Rezoning Supermarket  
Development Corp. property
2. Res. Stating Intention to Annex Res. 1736 Approved  
Boulton Property into the City &  
Transmitting Matter to BRB

LEGAL MATTERS:

1. Shockey Brent Professional Svcs. Contract - Cont. to 6/12/95

ADJOURNMENT INTO EXECUTIVE SESSION: 10:50 p.m.

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

RECONVENED & ADJOURNED: Approx. Midnight

SPECIAL MARYSVILLE CITY COUNCIL MEETING MINUTES

00115

JUNE 6, 1995

7:30 p.m.

Council Chambers

Present: Dave Weiser, Mayor (excused)  
Donna Pedersen, Mayor Pro Tem

Councilmembers:

John Myers  
Ken Baxter (7:54 p.m.)  
Donna Wright  
Mike Leighan  
Otto Herman  
Shirley Bartholomew

Administrative Staff:

Steve Wilson, Finance Director  
Dave Zabell, City Administrator  
Grant Weed, City Attorney  
Gloria Hirashima, City Planner  
Ken Winckler, Director of Public Works  
Walt McKinney, Asst. Police Chief  
Mary Swenson, Asst. to City Administrator/City Clerk  
Jim Ballew, Parks & Recreation Director  
Wanda Iverson, Recording Secretary



CALL TO ORDER:

Mayor Pro Tem Pedersen called the Special City Council Meeting to order at 7:30 and asked Councilmember Leighan to lead us in the flag salute.

ROLL CALL:

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

MINUTES OF THE PREVIOUS MEETING:

Councilmember Bartholomew noted on page 4, in the 3rd paragraph, there should be a period after the words "35 acres." The next sentence should then be "There was also discussion about limited uses,...." In paragraph 1 of the 4th page, last sentence, she asked that the sentence be ended after the words "tribal lands" with "and Tulalips wanting to actually get rid of this wheeling agreement" being deleted.

There being no further corrections, Councilmember Bartholomew moved and Councilmember Herman seconded to adopt the 5/22/95 minutes as amended. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

John Klacell of Seattle, Engineer for the Tulalip Tribes, addressed Council. He stated he wished to inform them of the present schedule for the 4th St. Bypass which will probably be completed and open on July 1. He said they are going to install a small portion of concrete barrier at the end of the job for safety reasons; that originally it was going to be put in by someone else but plans have changed and it will now be put in by the Tulalip Tribes. It will be at the south end of the job where log loaders go back and forth, he explained, to separate the 4th St. Bypass from the log loaders. The log loaders will be about 50 to 60 feet to the east of the barrier. He said the state has authorized this for traffic safety and they want to make sure vehicles get around the corner safely.

City Administrator Zabell asked where the east terminus of their project will be and Mr. Klacell said about the edge of the freeway bridge, 50' beyond the Welco haul road. The Tulalip road will tie into the existing road, he said.

City Administrator Zabell asked about stop signs at Beach & 1st and discussion followed about this. Mr. Klacell said he would be in further contact with DOT and the City on this because there probably should be some stop signs for safety and to have better traffic control in the vicinity.

CONSENT AGENDA:

1. Approval of Preliminary Plat/Rezone; Whiskey Reidge; PA9203011
2. Approval of Conditional Use Permit; City of Marysville Water Reservoir; PA9503018.
3. Approval of Agreement for Consulting Services Portable Standby Power Generator for Five Sites.

Councilmember Bartholomew moved and Councilmember Wright seconded to approve Consent Agenda Items 1 through 3. Passed unanimously.

STAFF BUSINESS:

Finance Director Wilson reported he, Mary Swenson and Donna Pedersen met yesterday and reviewed the purchasing manual which will be brought back before Council in the near future with staff recommendations for any changes to be made.

City Administrator Zabell reminded Council there will be a Sub Area Workshop on 6/12 at 5:30 p.m. in the Fire Training Room and on 6/19/95 another Special City Council meeting at 7 p.m.

There was discussion about the fact that Arlington's hearing has been extended to 6/19 also and the special Council meeting has been advertised and can't be changed. City Attorney Weed suggested he and/or a staff member could attend the meeting in Arlington; also, it is anticipated there will be more Arlington public hearings regarding the annexation.

City Attorney Weed provided copies of two recent Supreme Court Decisions.

City Planner Hirashima reported she has had meetings with the consultants and Snohomish County regarding the north sub area plan and it is anticipated there will be good coordination and cooperation.

Public Works Director Winckler said he has received an estimate of \$3,000 to set up each of two Pacific Pride stations (the one in Marysville and one in Arlington) so that City vehicles would be able to refuel in the event of a major emergency. Councilmember Herman asked about reciprocation with other cities and Public Works Director Winckler stated Marysville does have unique generators but he will check with other cities in the area and will report back on this.

He noted there will be a Wheeling Agreement/RUSA meeting 6/8/95 and also the Grove St. & 67th project as well as the 136th St. project will be going out to bid in the next week. He stated that in response to a request regarding the Co-Gen Plan from PUD, they have put a hold on these projects but he will check further on this.

There was discussion about Bonneville Power's agreement, PUD's plans, etc.

Parks & Recreation Director Ballew reported there will be a Flag Day Ceremony at Jennings's Park on 6/14/95 (Flag Day) and he also reported on the approximately 30 hanging flower baskets that have been put up in Downtown Marysville with very positive feedback from people already. (They were just put up today.)

Parks & Recreation Director Ballew reported the City has been awarded a DNR grant for urban forestry, with some conditions, eg. \$6,000 in matching funds must be contributed and the program must be completed within 3 years but he did not anticipate any problem with the restrictions on the funding.

He reported that he will be going before the Marysville School Board 6/19/95 to report on the Middle School Program and the School District has asked the Parks Dept. to do a similar program at the Cedarcrest School.

He invited everyone to visit the Petting Zoo now open from 11-7 daily and he said they have received lots of positive feedback there. He also reported Saturday 6/10/95 will be the dedication of the YMCA Building & Pool, to be dedicated to Officer Jim Kinard. Everyone is invited.

MAYOR'S BUSINESS:

**1. Flag Day Proclamation.**

Mayor Pro Tem Pedersen and Councilmembers read the Flag Day Proclamation, declaring June 14, 1995 to be Flag Day and encouraging everyone to participate in a 4 p.m. "Pause for the Pledge of Allegiance" on that day.

CALL ON COUNCILMEMBERS:

Councilmember Herman reported on the RTA meeting recently; commuter rail was discussed. He also talked about a recent HUD dedication of affordable homes on very small lots, allowing smaller lot sizes possibly being something for Marysville to consider.

Councilmember Leighan commented on something he saw on TV about teenagers doing a car wash and putting the soapy water in the sanitary sewer vs the storm sewer and he asked about Marysville doing this. Public Works Director Winckler said there is a plan being developed and the City will be implementing that; the state would like us to monitor kids' car washes to make sure they are at least using biodegradable soap.

CORRECTED:  
MINUTES: SEE 6/12/95  
Marysville  
he read

Councilmember Leighan asked about the policies/procedure/purchasing manual and Finance Director Wilson responded.

Councilmember Leighan asked about the boat ramp and Parks & Recreation Director Ballew said he will be presenting on Thursday a grant application to the IAC. He said the City has had appraisals performed on acreage on Ebey Slough and have given the owners an offer; they should have an answer by Sept. and do have some preliminary concept designs done. He added that the City will also be making a presentation in August; he said the grant application is very competitive in the marine projects area.

Councilmember Wright stated she will be in Washington, DC from June 10th to 13th and will be missing the Council meeting on the 12th as well as a Traffic Advisory Committee meeting.

Mayor Pro Tem/Councilmember Pedersen asked about an ad on a CT bus advertising Marysville's secret and Councilmember Herman said he thought it was something to do with a realtor's ad. He mentioned that he has received several phone calls with regard to the traffic jams around the 4th St. exit and would like something done about it. He pointed out that this would not be allowed to happen in King Co. and he said he would like the City Administrator to write a letter to DOT.

It was the consensus of Council that City Administrator Zabell would write the letter with copies to appropriate legislators in Olympia.

Mayor Pro Tem/Councilmember Pedersen reported there will be a speaker at the September Cities and Towns meeting who will be talking about what's going to happen to public health funding in 1996. She noted there is some concern over the lack of equitability of distribution of funds to each county for public health.

Councilmember Baxter asked about the Grove & 76th project and Public Works Director Winckler stated it is going to bid this week.

Councilmember Baxter asked about the boat ramp meetings and why he was never advised of a meeting. Public Works Director Winckler explained Fred Messmer asked to meet with City staff and there was an impromptu meeting with people from Welco, also.

Councilmember Baxter pointed out that the ones that were affected were to be notified about any meetings and he keeps getting asked questions and doesn't have any answers. City Administrator Zabell explained further that the meeting was called on the "4th St. Bypass."

Parks & Recreation Director Ballew added that one of the goals of the Parks Dept. is to get together with users/boaters to develop an advisory committee with regard to designing a new boat ramp once the grant is approved.

Councilmember Baxter commented on the DARE graduation he attended this evening just before the Council meeting.

Councilmember Myers reported the Dept. of Corrections is looking for input for their work release program.

Councilmember Bartholomew noted there will be another DARE graduation this week, this one at Pinewood Elementary, which she plans to attend.

PRESENTATIONS:

**1. City Hall Feasibility Study Report; Ross Jamieson, The Lewis Architects.**

City Administrator Zabell reviewed the agenda bill briefly and Mayor Pro Tem Pedersen noted the three basic questions asked were:

- 1) Is the old library building feasible for housing City Hall?
- 2) What is the life expectancy of the old library building?
- 3) What would the cost be for converting the old library building into a City Hall?

Ross Jamieson of The Lewis Architect firm reviewed their written feasibility study dated May 11, 1995, explaining the process, noting they familiarized themselves with the present City Hall, staff needs, the old library building, problems, etc. and reviewed the cost estimate for the project. He noted there is a lot of flexibility in the proposal and room for about another 6,000 sq. ft. expansion of the building on the present lot. He noted the parking lot could be modified to accommodate this and he said the building does lend itself to any remodel because of its open design. He talked about meeting current codes, the need to make good use of windows, upgrade of the heating/air conditioning system, reviewed the proposed floor plan, remodeling, flexibility of conference rooms, need for fireproof vault, storage areas. He said in summary, it is feasible to convert the old library building into City Hall but it would only be feasible to house the departments currently at City Hall, not to include Planning, Public Works, Parks and other departments outside of City Hall. He said the life expectancy of the old library building is about 20 years and he feels with minor maintenance and some modification to the parking lot, this would be a very nice facility for housing City Hall.

Councilmember Bartholomew asked how many parking places there are currently at City Hall and City Administrator Zabell said 20 places, he believed, which is not at all sufficient for the present staff needs, let alone any public needs.

Mr. Jamieson pointed out there is a potential for up to 70-80 stalls at the old library building and that with the growth of the City, the departments that will be most affected will not necessarily be the current departments at City Hall.

Mr. Jamieson reviewed the cost estimates and noted \$300,000 would include adding a handicap restroom, new carpeting throughout the building, repainting, mechanical upgrading, some plumbing, suspended ceilings, doors, fireproof vault, payment drop, things more specific to use of a City Hall, general upgrading, plus an 8% contingency. He noted it is a "buyer's market" right now and this cost estimate is pretty competitive, calculating out to \$36.50 per square foot for the remodel as opposed to \$100 per square foot for new construction. He noted that furnishings would not be included in the \$300,000 nor would the architect's fee. He talked about the estimated increase in staff and need over the next 20 years.

City Attorney Weed addressed the critical need for a fireproof and secure vault and the how deficient the present system is at City Hall.

Assistant to the City Administrator/City Clerk Swenson added that currently, the vault at City Hall is not fireproof and the overall system is very deficient with no central location; some of the records are at the golf course, for example and the City needs a central location with internal controls. She explained that personnel records are required to be kept for the lifetime of the records, as are commercial permits, some permits need to be kept for 7 years, different records vary as far as length of time to be kept and as soon as they are allowed to be destroyed, they are, in order to maximize space. She said they could do more microfilming if they had a central location, with the actual records being kept within the respective departments.

Councilmember Bartholomew asked about use of the state repository in Bellingham or the county's GIS system and Ms. Swenson stated the City is developing a procedure for keeping records and are planning on looking into these two options but the real need now is for a safe vault; The Lewis Architects' proposal would be adequate for the next 20 years, she said.

Mr. Jamieson pointed out that there are compact sotrage systems some cities use now where you can get a substantial amount of records in a smaller space.

CORRECTED: SEE 6/12/95  
MINUTES s/b storage

There was discussion about whether or not to pursue this proposal, what this property would sell for on the open market.

Maribeth Hutchings, Prudential Preferred Properties, Marysville, addressed Council. She stated they determined the existing building is worth \$20 to \$22 per sq. ft. or a total of \$340,000 including the property, based on front footage at \$9 per foot. As far as feasibility of selling or leasing the building, the City could get 65 cents a foot per month if it were leased, she said but as far as availability of other space, she would need a little more time to investigate this; there may be other properties that may be better suited to tenants, she said.

Councilmember Myers said he understands the school district may be interested in the property for additional classrooms as it's next to the Marysville Middle School.

Councilmember Baxter said he would like a little more research, an appraisal of the property, eg.

Councilmember Leighan noted that the Public Safety Building was to last 50 years and already they are needing to expand.

There was discussion about addition of staff at City Hall (none), actually there has been a reduction in staff, need to get an appraisal on the old library building before making a decision, pursuing interest of the Marysville School District, cost of an appraisal, the old library would be an interim measure for the next 20-30 years vs. a new building that is going to cost a lot more, continue this to mid July and have more information at that time.

Councilmember Myers moved and Councilmember Bartholomew seconded to continue this to 7/10/95 or 7/24/95, depending on whether staff can come up with the requested information by then. Passed unanimously.

It was clarified that Council wishes staff to obtain a full blown appraisal of the old library building and property, find out about the school district's interest, getting a signed lease, if possible and that this may be discussed in executive session, if necessary.

PUBLIC HEARINGS:

**1. Kellogg/Marsh Annexation (to be continued to a later date by motion of Council).**

Councilmember Herman moved and Councilmember Bartholomew seconded to continue this to 8/28/95. Passed unanimously.

REVIEW BIDS:

**1. 360 Zone (6.0 MG) Reservoir.**

Public Works Director Winckler reviewed the agenda bill and noted 3 bids have been received, with staff recommending acceptance of the Skaar Construction bid, but excluding Schedule B. Harry Denham, engineering consultant, commented on the difference between the bids.

After brief discussion, Councilmember Baxter moved and Councilmember Bartholomew seconded to accept the Skaar Construction bid in the amount of \$2,427,000 plus applicable sales tax. Passed unanimously.

CURRENT BUSINESS:

**1. Marysville Citizens Review Committee on Adult Entertainment; Work Plan.**

City Attorney Weed reviewed the agenda bill noting this is a work plan to be approved for the committee. He said a public hearing has been scheduled for 6/19/95 to consider continuation of the moratorium.

Councilmember Bartholomew spoke about the importance of this and Councilmember Herman pointed out a conflict in the date. Councilmember Bartholomew noted the county has declared a moratorium also.

Councilmember Baxter moved and Councilmember Bartholomew seconded to accept the work plan and to hold the public hearing as scheduled on 6/19/95. Passed unanimously.

**2. Van Assche Annexation; 10% Petition; continued from 5/22/95.**

City Planner Hirashima reviewed the agenda bill and stated at this point, they have 16.5% sufficiency of petition, however even if they use Strawberry Vista non-protest covenants, they will only have 59.5% of the total assessed valuation because the school district is not allowed to sign an annexation petition, even though the value of their property is included in the total assessed valuation of the whole annexation. The Marshall School property represents 38% of the whole annexation and can be excluded if they are the only ones on a separate petition for annexation. She also noted Snohomish County PUD owns property within this annexation and they are in the same position as the school district. She noted the Millers indicated they are not currently interested in annexation to the City but she did have contact from property owners between 113th & 116th south of this area and two of the owners have indicated they would be willing to sign an annexation petition. She said in trying to contact the

third owner, they discovered a problem with a possible gliche in that a short plat may not have been registered with the county; there are 2 more interested adjacent to the property just mentioned, she said. Ms. Van Assche has some concern about having to obtain additional signatures as she has already given this a significant amount of effort, it was noted.

Sheralyn Van Assche, 11721 Old Hwy. 99, addressed Council. She said they would ask that there be no expansion of the annexation; there were 6 owners and they paid \$500. With the expansion they would not have sufficiency of petition and plus with the rectangle it would be easier to get the legal description from the county, she said. She gave as an example Nobachs' previous efforts and how it got too complicated, paperwork lost, etc., all over an expansion of an annexation. She said if the City is accepting these other annexations, why can't they accept this one as is, without expansion? She said she can't understand why they have to expand and they have 100% right now, the way it was originally proposed.

Councilmember Herman explained the City would like to see some squared off boundaries for City limits.

Ms. Van Assche pointed out that the Ross/Hill Annexation was not really contiguous but the Van Assche annexation is contiguous with Ross/Hill and with the highway.

Councilmember Baxter agreed with her, stating there have been people in that area trying and trying to get into the City and he said he would like to see it made less difficult for these people to get in, especially when they have 100%.

Joe Biringer addressed Council. He said he backs up evrything that Sheralyn said; it was indicated to them on 5/22/95 that there would be no problem with getting this annexation approved, he said, if they did their homework and got the petition signed, which they have done.

Kurt Van Assche, 8319 53rd Dr. NE, addressed Council, representing Frank Shockman who has asked to be added to this area. Mr. Van Assche said they would more than happy to help with collection of signatures. He added that the proposed boundary is logical and it would make sense for Mr. Shockman to be part of the City. He said he would urge the Council to give serious thought to Mr. Shockman's desires to become part of the City and help with collection of signatures; his neighbor to the south is interested in annexation also and Mr. Shockman does not anticipate a problem with getting his signature. He reiterated that they would be more than happy to help in any way.

City Planner Hirashima pointed out that by including the school district site, they are still \$90,000 short.

There was discussion about contiguous parcels, covenants on the short plat, legal description of Strawberry Vista.

Councilmember Leighan moved and Councilmember Baxter seconded to accept the 10% petition, to include Strawberry Vista non-protest agreements, not to include the school district or Miller property. Passed with Councilmember Herman against.

NEW BUSINESS:

**1. Shoreline Substantial Development Permit; Welco Lumber;  
PA 9501003.**

City Planner Hirashima reviewed the agenda bill and it was noted that this is not a public hearing.

Councilmember Herman stated that as there has been an appeal, he would be in favor of a new public hearing and he asked about input from the Public Works Director.

Public Works Director Winckler stated in order to get the information requested would require some surveying for an alternate route, allowing the area furthest to the south to be used by boat users with no engineering budget; there is some money for engineering for the traffic light at 1st, however, he said.

Councilmember Myers left Council Chambers at 10:15 p.m. for the evening.

Councilmember Baxter stated he didn't agree with the urgency on the road, the state doesn't need to open that road right away and he said he thinks the onus should be on the Tulalip Tribes as to whether the road should be even opened.

Councilmember Herman said he is in favor of a public hearing but would like further information by then such as viability, preliminary study, etc.

Councilmember Herman moved and Councilmember Bartholomew seconded to hold a public hearing 6/26/95.

Councilmember Baxter stated he would like to see further discussion about the mitigation for the traffic on First St. and these issues need to be settled.

City Planner Hirashima stated that with regard to improvements on the haul road the Tribes are probably exempt until they get into City limits at which time they would need to have a shoreline substantial development permit.

The motion passed with Councilmember Leighan against.

There was further discussion about safety concerns, blocking the road if it is not going to work, traffic mitigation issues, City liability issues, enforceability of the condition by the hearing examiner place on DOT property.

## **2. Mural Painting; Public Safety Building.**

Asst. Chief McKinney explained the mural would be painted on the downstairs lobby wall of the Public Safety Building and the \$50 to \$100 would come out of the Police Budget.

Councilmember Bartholomew moved and Councilmember Leighan seconded to approve the request. Passed.

## **3. Cedarcrest Golf Course Master Plan Contract.**

Parks & Recreation Director Ballew reviewed the agenda bill and said he recommended approval with the exception of Item 5, assessment of the irrigation system. He said the proposal could be done within 6 weeks with the final plan completed within 9 weeks. The new total would be NTE \$17,500 (not \$16,500 as shown on the agenda bill).

Councilmember Baxter moved and Councilmember Bartholomew seconded to authorize the Mayor to sign the master plan contract with John Steidel NTE \$17,500 and with amendments per the discretion of the City Attorney. Passed.

## **4. Discussion Regarding Initiative and Referendum Powers of Cities.**

It was decided that this should be rescheduled as a 2-3 hour workshop, 7/6/95 at 6:30 p.m.

CORRECTING: SEE 6/12/95  
MINUTES 5/1/95  
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ORDINANCES & RESOLUTIONS:

1. **Ordinance of the City of Marysville Affirming the Decision of the Hearing Examiner and Rezoning Property Owned by Supermarket Development Corp., and Amending the Official Zoning Map Previously Adopted in Ordinance No. 772.**

Councilmember Wright moved and Councilmember Leighan seconded to approve/adopt Ordinance 2029. Passed.

2. **Resolution of the City of Marysville Stating Its Intention to Annex Certain Unincorporated Area, Known as the Boulton Annexation, into the City, and Transmitting the Matter to the Snohomish County Boundary Review Board for Approval.**

Councilmember Bartholomew moved and Councilmember Herman seconded to approve/adopt Resolution 1736. Passed with Councilmember Leighan against.

LEGAL MATTERS:

City Attorney Weed said he wanted to make sure Council reviews the 50 page ordinance/amendments to the zoning code for next meeting.

1. **Consultant Agreement for Professional Services; Shockey Brent, Inc.**

City Attorney Weed stated there are a few minor amendments but the consultants are getting started and so it would be timely if the contract could be approved tonight, if possible.

Councilmember Bartholomew asked about Shockey-Brent's insurance and City Attorney Weed said he did not have that information.

Councilmember Bartholomew moved and Councilmember Leighan seconded to continue this to next week subject to the insurance clause and other corrections needed. Passed.

ADJOURNED INTO EXECUTIVE SESSION: 10:50 p.m.

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|------------------------|-------------------|
| 1. <b>Personnel.</b>   | <b>No Action.</b> |
| 2. <b>Real Estate.</b> | <b>No Action.</b> |
| 3. <b>Litigation.</b>  | <b>No Action.</b> |

RECONVENED & ADJOURNED: Approx. Midnight.

Accepted this 12<sup>th</sup> day of June, 1995.

David Weiser  
MAYOR

Mary P. Swenson  
CITY CLERK

Standa A. Swenson  
RECORDING SECRETARY