

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING DECEMBER 11, 1995

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Councilmember Bartholomew excused

MINUTES OF PREVIOUS MEETINGS: 12/4/95 Approved

AUDIENCE PARTICIPATION: None

CONSENT AGENDA: Approved:

- 1. Approval of 11/95 Payroll in the Amount of \$537,635.09; paid with Check Nos. 19107 through 19426.
 - 2. Approval of 12/11/95 Claims in the amount of \$527,154.46; paid with Check Nos. 26966 thru 27121 with Check Nos. 26315, 26650, 26689, 26761, and 26966 Void.
- (Items 3,4,5 moved to New Business, Items 3,4,5.)

STAFF'S BUSINESS:

MAYOR'S BUSINESS:

CALL ON COUNCILMEMBERS:

PETITIONS & COMMUNICATIONS: None

PRESENTATIONS: None

PUBLIC HEARINGS: None

CURRENT BUSINESS:

- 1. Renovation of Cedarcrest Golf Course Approved - Full Closure

NEW BUSINESS:

- 1. Util. Variance for J. B. Hayes; UV 95-018; 12019 47th Dr. NE Approved
- 2. Util. Variance for Steve Bodine; UV 95-019; 16615 45 Rd., Arlington Approved
- 3. Affirm Hrg.Examiner Recommendation to approve prel.plat & rezone of Park Creek Estates, subject to cond. Approved
- 4. Affirm Hrg.Examiner Recommendation to approve prel. plat & rezone of Bright Park East, subj. to conditions Approved
- 5. Affirm Hrg.Examiner Recommendation to approve request for variance from Sign Code - Jack-in-the-Box Approved

ORDINANCES & RESOLUTIONS:

- 1. Ord. 2056 Approved Annexing Van Assche Annexation Area.
- 2. Ord. 2057 Approved Annexing Wright Annexation Area.
- 3. Res. 1769 Approved establishing Stop Signs at Intersection of Alder & 1st St.
- 4. Res. 1770 Approved granting Utility Variance for RLDS Church, 9629 67th Av. NE, Marysville
- 5. Res. 1771 Approved granting Utility Variance for Gerald Berg, 2204 140th St. NE, Marysville
- 6. Res. 1772 Approved stating intention to annex 6 parcels of property owned by the City for Municipal Purposes.

LEGAL MATTERS:

- 1. Recovery Contract #182 Approved for recovery of utility const. costs for sewer; Belmark Industries, Inc.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:03 p.m.

- 1. Litigation (No Action)

RECONVENED & ADJOURNED: 10:48 p.m.

MARYSVILLE CITY COUNCIL MEETING

DECEMBER 11, 1995

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor

Councilmembers:

Donna Pedersen, Mayor Pro Tem

John Myers

Ken Baxter

Donna Wright

Mike Leighan

Otto Herman

Shirley Bartholomew (excused)

Administrative Staff:

Dave Zabell, City Administrator

Steve Wilson, Finance Director

Grant Weed, City Attorney

Eric Thompson, Senior Planner

Jim Ballew, Parks & Recreation Director

Ken Winckler, Public Works Director

Wanda Iverson, Recording Secretary

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CALL TO ORDER:

Mayor Weiser called the City Council Meeting to order and led us in the pledge of allegiance, at 7:00 p.m.

ROLL CALL:

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

MINUTES OF PREVIOUS MEETINGS:

Councilmember Myers noted in the 12/4/95 Council Meeting Minutes on page 4 in the 4th paragraph from the bottom that it should say reducing fees for recycling and reduction of fees for transportation to the landfill in Eastern Washington.

There being no further corrections, Councilmember Myers moved and Councilmember Pedersen seconded to approve the 12/4/95 minutes as corrected. Passed unanimously.

AUDIENCE PARTICIPATION: None.

CONSENT AGENDA:

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- (Items 3,4,5 moved to New Business, Items 3,4,5.)**

Councilmember Herman moved and Councilmember Pedersen seconded to approve Consent Agenda Items 1 & 2 with Items 3,4,5 moved to New Business Items 3,4,5 on tonight's agenda. Also, New Business to be heard just before Current Business, rather than the other way around. Passed with Councilmember Baxter not voting on Vouchers 27063 & 26998 under Item #1.

STAFF BUSINESS:

Finance Director Wilson said next month he will be bringing a proposal to City Council for a GO bond issue to refinance the Public Safety Building. The City would not benefit but taxpayers would with the lower interest rates, he said and he added that he will be getting more details next month.

City Administrator Zabell reported on the day long training session for supervisors held recently, stating it went well. He said they had the opportunity to fill one of the police officer vacancies however the new recruit is now at the police academy; he and one other police officer will be introduced at the next Council meeting.

Public Works Director Winckler reported that the record rainfall for November & December, coupled with high winds and trees coming down, have caused damage in a number of places in the City with water over roadways, etc. and he is working with Planning and Engineering, reviewing drainage systems to see how they are functioning under this strain. He said they are also reviewing other drainage designs, developing plans and discussions and will be bringing information back to Council.

He reported the next RUSA Committee meeting will be 12/21/95.

MAYOR'S BUSINESS: None.

CALL ON COUNCILMEMBERS:

Councilmember Leighan reported Doleshel's Tree Farm is having runoff problems from the subdivision to the east and Public Works Director Winckler said he checked on that this afternoon; natural drainage was eliminated with the subdivision going in and dry wells have not been able to handle the runoff so the City will probably be putting in a collection system for him.

There was discussion about City liability/responsibility in these situations, other areas that have problems, water volume, heavy rainfall.

Councilmember Wright reported the Traffic Advisory Committee met last week and the WSDOT made their presentation to the Downtown Merchants Assn. with regard to C-curbing, accidents, recommendations for more signage, resurfacing of 528 and 529, the possibility of a traffic signal going in at 4th & Delta. One issue that will be referred to the Traffic Safety Committee is that between 55th & 60th, crossing Grove is very dangerous and either signage or lowering the speed limit is recommended.

Councilmember Pedersen noted Albertson's were extremely appreciative that they were invited to the Traffic Advisory Committee meeting. She reported there is a Health District Meeting tomorrow and stated she would like to meet the new librarian. She asked about the number of construction crews and when the bid opening is for upcoming projects and reported she will be attending a breakfast tomorrow at which 15 legislators from Snohomish County will be also in attendance.

Councilmember Baxter noted the 1996 Budget for the Fire Service is \$3,717,250, out of which \$900,000 is for EMS.

Councilmember Myers reported the Library Board met today; the new library parking lot is already at capacity and they would like to work on something for 1997. Also, he reported a situation about a tree in the creek on the east side at the bottom of the dip in Parkside Manor.

NEW BUSINESS:

1. Utility Variance for J. B. Hayes; UV 95-018; 12019 47th Dr. NE

Public Works Director Winckler reviewed the agenda bill and it was noted there was a meter installed in 1983 but subsequently removed by an adjacent developer.

Mr. J. B. Hayes, 12919 47th Dr. NE, addressed Council, stating he developed his property in 1968 but kept 5 acres which was short platted in 1983. Lot 2 was the only lot not served by the City so he came to Council and asked for water and was told he needed to give the City an easement, which he gave in trade for 6 hookups. He said all the hookups were put in on 47th Dr., they were not used but he assumed they were there but then Jubie came along and took them out and was supposed to put them back in. The City actually replaced 5 out of the 6 hookups and then Jubie but a \$5,000 deposit on a lot but backed out because the City would not

CORRECTED: SEE 1/2/95
MINUTES s/b put

CORRECTED: SEE 1/2/95
MINUTES s/b Contractor

put water on it. Mr. Hayes explained he now has a paved driveway into the lot only 87' away from the water line and it's the only lot without water on it for 2 miles. He said he really shouldn't have to get another variance but he would be willing to pay for another permit.

There was discussion about the 1983 Council minutes, meters, no records, construction subsequent to meter having been put in, frontage, waiving of frontage requirements, whether there was any agreement to waive the frontage requirements.

Mr. Hayes said he gave the City an easement and doesn't think it's fair that the City can take away one of the connections after his having it for 12 years. He explained the location of the stubs, fire hydrant, 6 meters that were installed, moving the meters, one acre lot that needs water and sewer.

There was more discussion about the driveway and/or street requirements, improvements required if the property is short platted, agreement to be drawn up regarding future development, conditions upon granting variance, any future water hookups will require frontage improvements.

Councilmember Herman moved and Councilmember Pedersen seconded to approve the utility variance request for one water connection for Lot 2 with the provision clearly stated in the resolution that any future division could trigger frontage improvements and that the approval is based on Mr. Hayes paying for the meter and the City installing same with reimbursement to be sought from adjacent developers (City to investigate this issue). Passed unanimously.

**2. Utility Variance for Steve Bodine; UV 95-019; 16615 45 Rd.,
Arlington, WA**

Public Works Director Winckler reviewed the agenda bill and the condition that a booster pump would have to be at owner's expense.

Councilmember Baxter moved and Councilmember Myers seconded to approve the utility variance as per staff recommendation. Passed unanimously.

**3. Hearing Examiner Recommendation to Approve the Preliminary
Plat and Rezone of Park Creek Estates Subject to Conditions.**

Councilmember Pedersen stepped down.

It was clarified that there were no appeals.

Councilmember Leighan asked about interconnection from 67th to 83rd and Senior Planner Thompson explained Munson Creek has a steep ravine (23% slope) and he referred to the options and Hammond Collier Wade's study in the packets.

Councilmember Leighan asked about the staff study for interconnecting streets, rights of way, etc. and Public Works Director Winckler stated this will be done after the first of the year.

Councilmember Leighan moved and Councilmember Wright seconded to affirm the Hearing Examiner Recommendation. Passed unanimously.

Councilmember Pedersen returned to Council Chambers at 7:57 p.m.

**4. Hearing Examiner's Recommendation to Approve the Preliminary
Plat and Rezone of Brighton Park East subject to conditions.**

Councilmember Leighan asked about extending 78th Av. to the north to access adjacent property and Senior Planner Thompson stated the intent was to utilize 79th right of way and the street would function as a collector. He stated there is interest to the east of the development as well as north and south in this.

There was discussion about increased traffic when there is only one road in and out of a development, interconnection with other streets, 55th Pl. being extended.

Councilmember Wright moved and Councilmember Baxter seconded to affirm the Hearing Examiner's Recommendation. Passed 5-1 with Councilmember Leighan against.

5. Hearing Examiner's Recommendation to Approve the Request for a Variance from Sections 19.24.80, 16.16.210(3)(B)(ii) and 16.16.30(1) of the Marysville Municipal Sign Code.

Councilmember Herman asked about the sign currently on the premises ever being required to be conforming and City Attorney Weed explained this variance would create a legal non-conforming use but that does not mean it would never be conforming in the future.

Senior Planner Thompson added there was never a building permit or variance granted according to the City's records so this would make it legal and give it legal status as opposed to non-conforming at this time. He explained the variance is for the height of 73' vs. 35' under the code.

Councilmember Pedersen asked how many other signs the City has that do not conform to the Sign Code and Sr. Planner Thompson said about 6; in this case, Jack-in-the-Box is changing the design of their logo and reducing the area by 6'.

There was discussion about redesigning the sign code.

Councilmember Baxter moved and Councilmember Myers seconded to affirm the Hearing Examiner's Recommendation, granting the variance. The motion passed 5-1 with Councilmember Herman against.

CURRENT BUSINESS:

1. Renovation of Cedarcrest Golf Course.

Parks & Recreation Director Ballew reviewed the agenda bill and Mr. Steidel's Master Plan. He stated the estimate is \$3 million to fund all improvements; he reviewed the timeline, stating he has met with the Golf Advisory Committee who concurs with complete closure of the golf course for renovation with pass sales to cease effective 1/1/96 and to refund existing pass holders on a pro rata basis. He stated the current level of staff is recommended to be kept (one groundskeeper has been left out of the 1996 Budget). The Golf Course Manager would remain on site to manage and supervise during renovations; AJs would like to renegotiate some of the lease during the construction period; another consideration would be whether the pro shop should remain open during construction, he said.

Parks & Recreation Director Ballew referred to a memo from the Finance Director regarding funding and issuance of bonds and referenced information regarding irrigation, drainage repairs/improvements needed, course improvements, site inspections, Council direction as to complete closure of the golf course, estimated \$3 million bond over 20 years, City/Golf Course having the revenue to support the golf course during the construction period. He also commented on user group surveys that were taken, that the senior fees/whole fee structure will have to be increased probably. He said the fee structure will be developed six months before completion of construction as that will give them a better cost figure to work with at that time.

There was discussion about seniors being able to use the course at times when it's not so busy at a reduced fee, cash flow, year end revenues, anticipated revenue, course to be completed in August 1997.

Finance Director Wilson explained the payment to the contractor would be done through bond anticipation notes at the beginning of the construction period then a revenue bond (LTGO) issued which would pay the balance of the construction. He added BANs have been issued for widening of 67th, also and the rates are about 5 to 6% interest over 20 years. He talked about cash flow to pay staff during construction.

Councilmember Herman asked about flexibility of the timeline and Parks & Recreation Director Ballew stated there is flexibility and they can allow play to continue until construction begins. He added there are about 5 golf course contractors that have been working within the state who will be contacted to bid and the City is looking at doing the 67th project (a 90 day project) during the golf course construction period.

Councilmember Leighan asked about the golf pro's ideas/recommendations and Don Shaw said he didn't think it would be worth keeping the course open (9 holes at a time) during construction.

Parks & Recreation Director Ballew added that the Golf Course Advisory Committee would make a recommendation to Council with a work plan and City Administrator Zabell noted this would include what the golf pro would do during the construction, staffing plan.

Parks & Recreation Director Ballew noted the 1996 budget assumed partial closure; Don Shaw teaches, rents carts, and during construction he could answer questions, be involved in construction management, course inspections, etc. The City would also want to keep his retirement plan intact and keeping him employed during the construction would accomplish this, he added.

There was discussion about needing Don to oversee construction, requiring 86.5 hours a month.

Mr. Shaw said he would like to keep golfers informed as well as inspecting the golf course from a golfer's point of view during construction; he said he would also like to play more golf (i.e. take some time away from Cedarcrest), but he is in favor of complete closure of Cedarcrest, including closing the pro shop.

There was more discussion about the bid process, finances/general obligation bonds, what effects these bonds have on the City's overall bonding capacity. It was noted our bonding capacity was doubled during the last legislative session and the City has at least \$12 million capacity at this point. Discussion about \$2.00 estimated fee increase, other sources of revenue (General Fund, if necessary).

Councilmember Baxter then moved 1) to authorize the City Attorney to amend the Professional Services contract between the City and Architect John Steidel for the renovation design and specification package for the construction project to improve the Cedarcrest Golf Course including engineering, drainage, irrigation and general improvements called for in the Master Plan at a fee negotiated by the staff and Golf Advisory Committee, not to exceed 6% of the project cost plus expenses. Recommend that the City close the golf course during construction for a period of approximately 16 months for the purpose of renovating the entire course for both safety, cost savings and a complete renovation of all areas discussed in the Master Plan.

Councilmember Baxter moved 2) to discontinue the sales of annual passes effective January 1, 1996. Holders of passes eligible for play through the period of January, February, March and April will be able to utilize their passes until the course is to be closed for construction. It is anticipated that the course would close effective May 1, at such time all eligible pass holders will be reimbursed by the City on a pro rata basis for play value not received. The cost to play will be a flat daily fee rate of \$14.00 for 18 holes and \$11.00 for 9 holes from January until the course is closed for construction.

Councilmember Baxter moved 3) to authorize the Finance Director to obtain bonds in the amount of \$3 Million for construction project financing to be authorized by the City Council upon receipt and acceptance of final bids for the project.

Councilmember Baxter moved 4) to have the Golf Course Advisory Committee redefine the duties of the Golf Course Manager position by February 1996 and continue to negotiate lease fees with both the restaurant lessee and pro shop lessee prior to course closure. The Golf Course Advisory Committee will also study and propose a new fee(s) schedule to the City Council prior to opening the course by approximately August 1997.

After discussion about a possible change in the restaurant lease, possible construction of a new snack shack, the fact that a new restaurant would cost an additional \$1 Million, current lessee's (AJ's) lack of response, agreement about the snack shack, adequacy of facility, design of the restaurant/pro shop possibly to be done in the future, leases and architectural plan to come to Council for final approval, Councilmember Myers seconded the motion.

The motion passed unanimously.

ORDINANCES & RESOLUTIONS:

1. Ordinance of City of Marysville Annexing Certain Unincorporated Area Known as the Van Assche Annexation Area into the City.

Councilmember Wright moved and Councilmember Leighan seconded to approve/adopt Ordinance 2056. Passed unanimously.

2. Ordinance of the City of Marysville Annexing Certain Unincorporated Area Known as the Wright Annexation Area into the City.

Councilmember Leighan moved and Councilmember Baxter seconded to approve/adopt Ordinance 2057. Passed unanimously.

3. Resolution of the City of Marysville Establishing Stop Signs at the Intersection of Alder Av. & First St.

Councilmember Herman moved and Councilmember Leighan seconded to approve/adopt Resolution 1769. Passed unanimously.

4. Resolution Granting Utility Variance for RLDS Church, 9629 67th Av. NE, Marysville.

Councilmember Wright moved and Councilmember Leighan seconded to approve/adopt Resolution 1770. Passed unanimously.

5. Resolution Granting Utility Variance for Gerald Berg, 2204 140th St. NE, Marysville.

Councilmember Baxter moved and Councilmember Herman seconded to approve/adopt Resolution 1771. Passed unanimously.

6. Resolution Stating City's Intention to Annex Six Parcels of Property Owned by the City for Municipal Purposes.

Councilmember Pedersen moved and Councilmember Myers seconded to approve/adopt Resolution 1772. Passed unanimously.

LEGAL MATTERS:

1. Contract for Recovery of Utility Construction Costs for Sewer; Belmark Industries, Inc.

Councilmember Myers moved and Councilmember Herman seconded to approve/adopt Recovery Contract 182. Passed unanimously.

ADJOURNMENT INTO EXECUTIVE SESSION: 9:03 p.m.

1. Litigation.

(No Action)

RECONVENED & ADJOURNED: 10:48 p.m.

Accepted this 2nd day of January, 199~~5~~.

David Weiser

MAYOR

Mary A. Iverson

CITY CLERK

Wanda A. Iverson

RECORDING SECRETARY