

MINUTES RECAP

MARYSVILLE CITY COUNCIL MEETING MAY 28, 1996 108

CALL TO ORDER: 7:00 p.m.

ROLL CALL: All Present

MINUTES OF PREVIOUS MEETINGS: 5/13/96 Approved

AUDIENCE PARTICIPATION: None

CONSENT AGENDA:

Approved:

1. Approval of 5/28/96 Claims in the amount of \$296,588.30; paid with check nos. 29212 through 29410 with check no. 28603 void.
2. Authorize Mayor to Sign Contract for Hotel/Motel Tax Funds.
3. Authorize Finance Dept. to Reimburse Venture Pacific Partners, Inc. in the amount of \$23,178.72 for Watermain Oversizing.

STAFF'S BUSINESS:MAYOR'S BUSINESS:CALL ON COUNCILMEMBERS:PUBLIC HEARINGS:

1. Weiser/Belmark Public Hearing; Continued to 6/24/96  
Vacation of 10' City ROW; PA 9602011
2. Indian Creek Estates Annexation; Approved w/recommended elec-  
PA 9604018 tion to be held 9/17/96

NEW BUSINESS:

1. Util. Var. Howard Clark; 7120 Approved  
35th Av. NE; UV 96-014
2. Util. Var. Kellogg Marsh Grange; Approved  
100th St. NE & 67th Av. NE; UV 96-012
3. Util. Var. Brad & Lynn Lewis; Approved  
7006 61st Pl. NE; UV 96-015
4. Beach Av. (4th to Grove) Roadway Approved Alt. 5 w/56' roadway  
Design Alternatives; R9402
5. Development of Comprehensive Approved w/Budget Amendment  
Sanitary Sewer Plan.

ORDINANCES & RESOLUTIONS:

1. Ord. 2077 Approved affirming Hearing Examiner Decision & Re-zoning Property Owned by Joseph Hackstadt & Marjory Homan, Amending Official Zoning Map Previously Adopted in Ord. 772.

ADJOURNMENT INTO EXECUTIVE SESSION: 11:35 p.m.

1. Litigation (No Action)

RECONVENED & ADJOURNED: 12:12 a.m. 5/29/96

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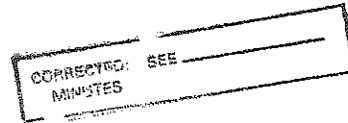
MARYSVILLE CITY COUNCIL MINUTES

MAY 28, 1996

7:00 p.m.

Council Chambers

Present: Dave Weiser, Mayor  
Councilmembers:  
Donna Wright, Mayor Pro Tem  
John Myers  
Ken Baxter  
Donna Pedersen  
Mike Leighan  
Otto Herman  
Shirley Bartholomew  
Administrative Staff:  
Dave Zabell, City Administrator  
Steve Wilson, Finance Director  
Gloria Hirashima, City Planner  
Grant Weed, City Attorney  
Ken Winckler, Director of Public Works  
Jim Ballew, Parks & Recreation Director  
Wanda Iverson, Recording Secretary



CALL TO ORDER:

Mayor Weiser called the City Council meeting to order and led the pledge of allegiance, at approximately 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 Herman noted in the 5/13/96 minutes, on page 2, in the first paragraph, the word "palantings" should be "plantings".

There being no further corrections, Councilmember Herman moved and Councilmember Leighan seconded to approved the minutes of 5/13/96 as corrected. Passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None.

CONSENT AGENDA:

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Councilmember Bartholomew moved and Councilmember Myers seconded to approve Consent Agenda Items 1, 2 & 3 with the proviso that Finance Director Wilson would be researching Voucher #29295 and 29335 further. Motion passed with Councilmember Leighan abstaining on Voucher #29401 under Item #1.

STAFF BUSINESS:

Finance Director Wilson noted that claims would normally be approved by Council at the 6/10/96 Council Meeting however that meeting has been moved to 6/17/96 and so he asked for preapproval tonight so payment of the claims can be made in a timely manner (on 6/10/96).

Councilmember Herman moved and Councilmember Bartholomew seconded to preapprove the claims as per Finance Director Wilson's request. Passed unanimously. (Claims listing will be brought before Council 6/17/96.)

City Planner Hirashima announced that the Planning Commission tonight completed approval of ESHB 1724/Title 15 Draft Ordinance,

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with a public hearing scheduled for 6/11/96. She also noted there is an upcoming short course on planning 6/18/96 being put on by the Economic Trade & Development Commission in the Library at 6 p.m. at which they will be discussing 1724 legislation, hearing rules, etc. and will be attended by the general public as well as city officials.

Public Works Director Winckler reported the banner poles are now up on 4th between Beach & Cedar and on State south of 1st. He outlined Change Order #1 for the 1994-1995 Sanitary Sewer Project including telemetry system, upgrade including chlorine telemetry and intrusion for Sunnyside which amounts to \$11,000+ for which he said there are funds available.

He talked about a meeting he had with Community Transit regarding parking west of State and he said CT will be meeting with the City further to coordinate and respond to Council's concerns about parking, especially around Comeford Park.

MAYOR'S BUSINESS:

Mayor Weiser talked about upcoming DARE graduations at Liberty Elementary and Pinewood Elementary.

CALL ON COUNCILMEMBERS:

Councilmember Pedersen wished a happy belated birthday to Councilmembers Herman and Baxter. She referred to a memo written by Mary Swenson regarding the Adult Entertainment ordinance, especially with regard to the minimum distance requirement between a patron and dancer and said she would like clarification as to whether it should be 4' or 6'.

After considerable discussion and in light of another recently passed ordinance where it was set at 10', it was decided that City Attorney Weed would this matter up with Thom Graafstra who worked with the committee on the Adult Use Ordinance.

Councilmember Baxter asked about the 2 hour parking restriction and Public Works Director Winckler said it goes into effect 10 days after the ordinance is passed.

Councilmember Baxter announced an upcoming Groundwater Advisory Committee meeting from 9-12 Friday at PUD.

Councilmember Myers noted there are several upcoming events all on 6/18/96: DARE graduations, Regional City Council meeting, Housing Hope presentation, public meeting on work release.

Councilmember Bartholomew noted there is a county meeting Thursday regarding the Centennial Trail (5/30/96) and also the IAC has informally told the City funding for Strawberry Fields will be reimbursed up to \$300,000. She mentioned receiving a call from a resident regarding constant all night parties at a residence at 116th & 38th.

Councilmember Herman said he would be interested in carpooling to the upcoming AWC meeting.

Councilmember Leighan reported on the recent Law & Justice Committee meeting he attended where they discussed MTDs in police cars.

Councilmember Wright thanked Gloria Hirashima and Dave Zabell for the City presentation at the Chamber the other day.

PUBLIC HEARINGS:

**1. Weiser/Belmark Public Hearing; Vacation of 10' City Right of Way; PA 9602011.**

Mayor Weiser stepped down at 7:25 p.m.

City Planner Hirashima gave the staff report and reviewed the agenda bill. She noted the City just received a request from Erik Olson to have his name removed from the petition because of his concerns about his property being landlocked and the street vacation affecting access to his property. She said Mr. Olson has just recently filed for a variance and this may affect the street vacation request; she wishes to ask for a continuance so she can have a chance to discuss the matter with the City Attorney. She suggested public testimony be taken this evening, however, in view of the public hearing having been advertised for tonight.

Councilmember Herman asked for clarification of ownership and City Planner Hirashima stated Pamela Borseth owns the property immediately to the north of 76th Place, Weiser/Belmark owns Lots 1 to 6 on the south side, Olson owns Lots 7-8-9, Massey owns 10-11-12-13. She said 3 applications have now been received involving these properties--an application regarding substandard lot variance, the street vacation and a street variance.

Mayor Pro Tem Wright called those wishing to give testimony to the microphone.

Ty Waude, representing Belmark Industries, 505 Cedar, Marysville, addressed Council. He stated they have a contract purchase agreement on Lots 1-6 from Evelyn Weiser and the plan is to keep a 10' easement. He said he was hoping the street vacation request could be concluded tonight; they would give up property on Lots 1-2-3 for use as a private driveway/access, if necessary. He noted the current lot sizes are 40' x 80' and so they would rather not have to give up any property. Also, the norther 20' has already been vacation and so they are asking for an additional 10' of street vacation for the private drive, he said. When asked, he said they only envision 2 structures on the three lots; they want to make sure there is a minimum access width for the private driveway. He said the driveway would be paved and they will also be putting in curbs, gutters and sidewalks on 51st under another application for Lots 4-5-6. They also have approval on 17-18-19, he added.

Stanley Dierck, 4905 75th Pl. NE, addressed Council, stating he is opposed to this development. He said their neighborhood is too impacted by this and if they are putting in duplexes, they already have triplexes, condos, and they just can't take any more multiple housing. He said the air quality in Marysville is going down.

Councilmember Pedersen clarified that the public hearing tonight is for a street vacation, not regarding land use.

City Planner Hirashima said she would have to look at the site plan further with regard to land use Mr. Dierck is referring to; the criteria for street vacation is whether or not there is a need for opening the right of way.

Mr. Dierck asked if the Olson request is tied in with the Belmark request and City Planner Hirashima said they are separate requests but she understands Mr. Olson is possibly looking to sell one of his lots to Belmark. She added if the right of way remains, the public has the right to petition it to be left open but once it's closed the City can't open it up again, however 10' is not wide enough for a road, either.

Mr. Dierck added the neighbors don't want any more development and he thinks City Council should put a moratorium on building.

Norma Jean Dierck, 7605 49th Dr. NE, addressed Council, explaining this is her fourth meeting and she is finding out the City waits for neighbors to come before Council and "vent"; she doesn't know if this has any bearing on the decision or not. She asked who owns the 6 lots in the back right now and she was told Evelyn Weiser; Belmark is attempting to purchase the 6 lots from her.

Ms. Dierck asked if 10' is enough for the 6 lots to have access and City Planner Hirashima said no, they are proposing 20' from lots 1-2-3 to make up the 30' for 2 duplexes. If they had a single access and only one duplex, they can have a 20' panhandle, she explained. She added 30' is enough for 4 duplexes but they would not have enough lot area for 4 duplexes; they are proposing to put in 2 duplexes which would maximize out the site.

Ms. Dierck noted they show on a map she picked up, 7 duplexes and with the City zoning changing and the forecast, she said she thinks people need to look at what's going to happen later on; Belmark and Mr. Olson know what's going on but the citizens don't always know.

Councilmember Pedersen said she notes the lots all have different owners at this point.

Ms. Dierck said on Lot 16, Seibert, it looks like that's going to get grandfathered in with only a 2' setback and Erik Olson now wants more property because he's landlocked. She said she has lived there for 36 years and sees people coming in wanting to changing things very drastically from what it was when her grandparents lived in the very house she now lives in.

City Planner Hirashima said there could potentially be some overlapping of three issues involving the same property owners: the street vacation, a substandard lot variance and a street variance.

Councilmember Pedersen said she would like to see the big picture at the next meeting.

Ms. Dierck said she went to the City 3 weeks ago and they said neighbors would have first option to purchase the property and now the story is completely different; she said she would like to see some consistency. She asked if the neighbors could keep Olson from buying the land.

Councilmember Bartholomew asked about this being surplus City property and if it goes out to bid under those circumstances.

City Attorney Weed said the City would normally give it to abutting property owners at a reasonable price but this is not actually surplus of property.

Ms. Dierck said she doesn't feel she was given the correct information when she first went to the City 3 weeks ago; she was told to sign the petition so they could purchase the property but now that seems to have changed.

City Planner Hirashima explained a week ago or less, circumstances changed with Mr. Olson asking for his name to be removed from the street vacation petition and one of the vacation criteria is whether there is 100% in favor and that no property owner will be landlocked, i.e. impairment to property access abutting the alleyway. She reiterated that this needs to be reviewed further by staff; she had previously been satisfied that they could go ahead with the public hearing but as of tonight, they have received a request from Mr. Olson.

Ms. Dierck then submitted a petition with 15 signatures on it who are against the development in the neighborhood. She talked about how she now lives in the same house her grandparents did and how

she took around a petition for her grandparents against condos. She talked about hiring an attorney to "fight City Hall" and said she doesn't see a whole lot of justice, safety and well being for the citizens. She said she is very concerned about the lack of preparedness of City staff tonight, also.

Councilmember Baxter asked about the 10' strip as a result of Erik Olson withdrawing his name from the petition to vacate the street.

City Planner Hirashima explained the street vacation cannot impair access which Olson feels it does adjacent to lots 7-8-9; this is an obstacle to approving the street vacation, she said.

Craig Massey, 7533 49th Dr. NE, addressed Council. He said this whole process puts him in mind of cooking a frog--you put him in warm water and then gradually turn up the heat and he doesn't know he's being cooked! Olson, Reed, Belmark have not divulged their whole plan, they have just come up with a bit at a time. Mr. Olson has access to 7-8-9 through Lot 16 as did Mr. Seibert before him. Mr. Seibert asked for 76th to be vacated some time ago and was told (by the county) it was not a legal street; the county said it was the adjacent property owners' to do with as they wished. It was verbally agreed that it would not be a street but the City does not want to respect that, he noted. He asked about the appeal period while City Planner Hirashima researches this further.

City Planner Hirashima said the Council has an opportunity to review any appeal; it can go back to the Hearing Examiner or the Council could have another public hearing.

Mr. Massey asked if the 2 duplexes are going to be built under the current code or the one coming up? Can they be more than one story high? He noted Belmark has admitted already this is a crowded area --there is a busy intersection and with this proposal there will only be more traffic added to an already problem area, he said. The variance as he understands it was for a single unusual circumstance but here the City is giving undersized lots the right to have homes on them. He pointed out that his house is on 4 lots and he wanted to retire here and now everyone is closing in on him. He said he strongly opposes the street vacation and would ask Council to look at this.

Councilmember Leighan pointed out that Mr. Massey signed a street vacation petition and Mr. Massey restated his feelings by saying they do not want a road there; they have maintained that property for 28 years as private property and they thought they could buy that property but now they are not real clear on that.

It was clarified that Mr. Olson actually owns Lots 7, 8, 9, 14, 15 and 16. Mr. Massey said he would buy the 10' behind Mr. Olson to prevent it from being a street; there is presently a paved driveway on Lot 16 as access to Lots 7, 8 & 9, he pointed out.

Zelda Stork, 7534 49th St. NE, addressed Council, stating she is directly across from Dierck and Massey and she is not in favor of anything that will create more traffic on 49th. It's a dead end now but if 76th is opened up it would get way too busy; if it becomes an open street, she would probably move, she said. She added that across from there between her house and Hartleys, there is an alley with a sewer line and she asked what is to stop the City from making that a street, which would really impact her because that's her only access to her carport. So she doesn't want to see 49th or the alley made into a street, she concluded.

Melvin VanInwegen, 7605 49th Dr. NE, addressed Council and said he would like to purchase half of the alley so he has a place to park his truck. He said it looks to him like Marysville is going to be like Japan with such a high density. He said he would like to come back when the City gets their act together; he thought

it was going to be a done deal tonight and come to find out all the preparation didn't do any good because the City wasn't prepared. He said he has lived here for 50 years and paid in a lot of taxes in that time.

Councilmember Herman pointed out that Council can take additional comments on any new testimony at a future public hearing.

Erik Olson, 3630 Sunnyside Blvd., addressed Council. He explained that he owns Lots 7-8-9 and 14-15-16 but wishes to sell Lot 16 to Belmark. Lot 16 was the access to Lots 7-8-9 and so, now that he will be landlocked, he wishes to have his name removed from the street vacation petition. He said his intent is to have access to Lots 7-8-9 and just because there was a driveway on Lot 16, is really immaterial. The intent is to put a 16' driveway on 76th, he said, so you can turn into Lot 9. He said he has submitted a variance application and thinks chances of getting an easement from Massey are slim. He added that he disagrees that the three issues overlap (street vacation, substandard lot variance and street variance).

Councilmember Leighan asked about the difference between a 16' driveway and a 20' paved road requirement and City Planner Hirashima explained Mr. Olson's request is for a substandard public street and City standards require a variance; without a variance he has no access to Lots 7, 8 & 9, she said.

Councilmember Baxter noted normally the City has a minimum of 20' and yet with 30' it's not enough; it's a City owned street, he pointed out.

City Planner Hirashima noted it is an unopened public street or alley.

Mr. Olson said the 30' wide portion goes from Lot 9 to 49th and that would be enough for his driveway.

Brian Duce, 5912 70th St. NE, addressed the Council. He submitted a Notice of Hearing of Substandard Lot regarding Lot 16 and said Mr. Olson is taking a step by step process in order to get access and so he can subdivide his property. The neighbors have built structures on his property over the years but on this vacation, the question is if it will provide a public benefit. Will there be an adverse affect on the neighborhood? He said he feels there is a fear that they are going to open the whole street and there needs to be some assurance of a barricade so it is not a through street. As far as there being a public need to open the street, it has not been opened for the last 28 plus years. Would there be public use? No, he said this would not affect the need of public use. As far as landlocking or impairment of access, with opening int he back, systematically, Mr. Olson is coming in step by step with proposals for duplexes. Mr. Duce said he would suggest an impact study be done, this land should be sold to the abutting land owners, a traffic study should be done with respect to what is going to happen on 76th if it is opened. He said he would want to see this street vacation approved.

Ty Waude addressed Council again and asked about the petition Ms. Dierck submitted. After briefly reviewing it, he said Belmark would add another 10' for Lots 4-5-6 for private use only for one structure, a 20' easement, and it would not go all the way to the west boundary of Lot 6.

Councilmember Pedersen asked about Erik Olson's removal of his name from the street vacation petition and City Attorney Weed said it's an issue he doesn't feel comfortable advising Council on until he has reviewed the state statutes.

Councilmember Bartholomew moved to have this matter continued to 6/17/96 with public testimony also continuing at that time.

Purpose of the continuance would be to allow staff to research the matter further. Councilmember Myers seconded the motion and it passed unanimously.

There was discussion about conditions, removal of Olson's name from the petition, access issue to Mr. Olson's lots, controversial issues, research of the various issues, appeal period, need to have the whole picture vs pieces of the puzzle, time frames involved for the different matters.

Councilmember Bartholomew then revoked her previous motion and amended the continuation date to 6/24/96 to allow enough notification on another connected matter, so the two issues could be heard at the same time. Councilmember Myers seconded the amended date and the motion passed unanimously.

Ms. Dierck addressed Council again, noting she came here tonight looking for information and she has not got it.

Councilmember Baxter left Council Chambers at 8:57 p.m.

Ms. Dierck went on to say this is costing her money as she has hired an attorney and has to come back again and pay him to come back again another night, too. She said she is not sure what kind of additional knowledge is going to come up as a result of staff research.

Councilmember Baxter returned at 8:59 p.m.

Mayor Weiser returned at 9:00 p.m.

## **2. Indian Creek Estates Annexation; PA 9604018.**

City Planner Hirashima reviewed the agenda bill and Mayor Weiser asked about the minimum number of votes it would take to have this annexation approved by the election method.

City Attorney Weed explained for the annexation area to approve payment of their proportion of the City's bonded indebtedness, it would require a 60% yes vote out of the 40% turnout to validate, based on the number of people in the annexation area who voted in the last general election. A simple majority of the 40% would mean the annexation would go through but they would not be subject to the City's bonded indebtedness.

Margaret Natterstad, 10532 38th Av. NE, addressed Council. She explained she wanted this to go to a ballot so only people within the proposed annexation would vote on this. She said she went door to door and was pleasantly surprised at the positive response she got recently to the idea of annexation; about 45 people were in favor of annexation, several people were against it. One of the concerns is whether they would be forced to hook up to sewer, which she said she explained would require a ULID. She read six letters, all in favor of annexation of Indian Creek Estates, from: Ron & Jan Laycock, Margaret Olsen, Richard & Leslie Hoover, Fred and Marlene Schmidt, Lisa Munson and Wanda Iverson.

Mrs. Natterstad said that there seemed to be concerns about the sewer and leash laws and one resident had to convince the county that Indian Creek Estates is in the county. She has had the same experience when trying to get potholes fixed, she noted and one lady's husband got called to jury duty when he is not a City resident, only the street they live on (104th) is within the City now.

Bud Blethen, 10524 38th NE, addressed Council and said he sees no change from how things were when all these issues came up during the Northwest Annexation. He noted 104th was striped when it came into the City but it's illegally striped, also the street is in very poor repair. He said he is opposed to the annexation and strongly urges Council not to forward this on to the BRB.

Carl Baird, 10512 38th Av. NE, addressed Council and asked what the cost of the election would be.

City Planner Hirashima said it would be about \$200 to \$300 for a mail in ballot.

Mr. Baird asked about bonded indebtedness and Councilmember Herman explained about bonds for the WWTF, for example and how all citizens within the City have a responsibility/commitment toward that and any future bonding. Repayment of utility bonds is based on the revenue base of the utility, i.e. from customers who are presently on the service, it was noted.

Mr. Baird asked how a new resident would pay the bonded indebtedness and Councilmember Leighan said it would be paid through property tax.

Councilmember Herman pointed out that utility rates are lower for city residents however there is a utility tax to City residents so it balances out.

Mr. Baird asked about discontinuing paying county bonded indebtedness once annexed into the City and Councilmember Bartholomew said no, county bonded indebtedness is still paid whether you are in the City or not.

Mr. Baird concluded it would only affect him slightly, but he is still not interested in annexation at this time.

Joe Greenwell, 10607 38th Dr. NE, addressed Council. He said he finds it hard to understand why one of the biggest advocates for staying out of the City is now one of the biggest advocates for annexing in. He said he thinks Mrs. Natterstad has an ulterior motive, he is against annexation and will probably be moving on anyway. He said he still thinks there is an underlying issue not being brought up here.

John Natterstad, 10532 38th Av. NE, addressed Council. He pointed out that his address is Marysville, he considers himself a resident of Marysville, he teaches in the Marysville School District but he is not in Marysville. He said he sees four main issues: Parks, sewer, roads and schools and the City is doing a good job on parks and sewer. With roads and schools, the City still has a ways to go but is headed in the right direction. He said he also knows if you are not part of the City you can't vote on who is on City Council and the Natterstads would like that opportunity so he is in favor of annexation.

There being no further public testimony at this time, this part of the public hearing was closed at 9:29 p.m.

There was brief discussion and then it was noted someone else from the audience wished to speak. It was the consensus to reopen the public testimony portion of the public hearing so she could.

Regina Hines, 10633 39th Dr. NE, addressed Council. She pointed out there is only one access to the neighborhood and if that's blocked, that causes a real problem. She noted there are many seniors living in the neighborhood as well as children and she said she worries about if someone has a heart attack, etc.

Councilmember Baxter noted the railroad was opposed to another access and Mayor Weiser noted another access would involve a bridge. There was discussion about another access, tracks on the west side, coming in with a helicopter in case of an emergency, toxic spillage, fire emergencies, going to the City versus the county.

The public testimony portion of the public hearing was again closed at 9:40 p.m.

After brief discussion, Councilmember Bartholomew moved to accept the annexation petition by the election method with a resolution to be drawn up to include bonded indebtedness, Comp Plan & zoning code designation of medium density single family residential. The election to be held 9/17/96 to take advantage of the primary election and the vote to be based on 1995 voting figures. Councilmember Myers seconded and the motion passed unanimously.

NEW BUSINESS:

**1. Utility Variance for Howard Clark; 7120 35th Av. NE; UV 96-014**

Public Works Director Winckler reviewed the agenda bill and noted the RUSA Committee recommends approval of one water and one sewer connection.

Councilmember Baxter moved and Councilmember Wright seconded to approve the utility variance as recommended. Passed unanimously.

**2. Kellogg Marsh Grange Utility Variance; 100th St. NE & 67th Av. NE; UV 96-012.**

Public Works Director Winckler reviewed the agenda bill, noting the RUSA Committee and Public Works Staff recommends approval of one water connection only, pending future participation in extension of watermain in 67th to cover frontage requirement and compliance with all other City of Marysville Municipal Codes.

Councilmember Baxter moved and Councilmember Bartholomew seconded to approve the utility variance as recommended.

Cliff Gregory, 810 Beach, addressed Council. He said he has been a member of the Grange for many years and they have been waiting 93 years for water! He explained they are a non-profit organization and the cost for the main going up 67th would be quite prohibitive: \$6700 was quoted a few years back. He explained that they charge a \$20 membership fee and \$15 of that goes to the state so they don't have much to operate on but they do understand the concerns of the City. He added they have been on a well for 50 years and are not turning down the offer of water but just don't have the resources at this time for the extension of the watermain.

The motion passed unanimously.

**3. Utility Variance for Brad & Lynn Lewis, 7006 61st Pl. NE; UV 96-015.**

Public Works Director Winckler reviewed the agenda bill, noting the RUSA Committee and Public Works Staff recommends one sewer connection pending waiving frontage requirements on 61st Pl. NE and the applicant is able to obtain a recorded easement from Dally Homes and is able to meet all Marysville Municipal Codes.

Councilmember Herman clarified there is no reason anyone would ever want to cross the lot once the utility variance is granted, that the City will never require the frontage improvement.

Public Works Director Winckler said no, the sewer would not be extended because of topography and lots 36 to 38 are already being served with an easement.

Lynn Lewis, 7006 61st Pl. NE, addressed the Council. She stated the county, the City and professionals who have been involved all say this is a desperate situation. She noted they have a creek downhill from them and the sewer line is too far away; the terrain to the east rises quickly plus they have a lot of surface water which is a problem for their drainfield, she explained.

City Administrator Zabell asked about start of construction and Ms. Lewis said she would like to start tomorrow and showed that she had the recorded easement already from Dally Homes. She said she looked at it again today and it really is a major problem and it doesn't seem like there is another alternative.

Councilmember Leighan asked about sharing sewer stubouts and Public Works Director Winckler explained putting in a "Y" on a line. He said this is done all the time.

Councilmember Baxter moved and Councilmember Leighan seconded the motion to approve the utility variance including the waiving of the frontage improvement, as per the recommendations cited. The motion passed unanimously.

**4. Beach Av. (4th to Grove) Roadway Design Alternatives; R9402.**

Public Works Director Winckler reviewed the agenda bill and introduced Ken Oswell of Entranco Engineering, Bellevue.

Mr. Oswell gave a presentation showing proposed landscaping, curbs, bike lanes, traffic calming, parking options, evaluations of minimum and desirable widths of roadway. He noted Alternative 5 was the most desirable in terms of safety, consistency, parking, etc. He talked about parallel and angle parking, safety issues regarding tree plantings, different widths of lanes.

There was discussion about maintenance of right of ways by property owners vs the City, encouraging people to use Beach but not necessarily park there, the need for neighborhood meetings for input.

The majority of Council agreed that Alternative 5 was most desirable: Parallel parking on both sides of the street, 8' wide, 22' long; 2-11' wide travel lanes, 2-5' wide delineated bicycle lanes adjacent to on-street parking, total width 48 ft.

Parks & Recreation Director Ballew spoke on behalf of the Streetscape Committee, noting they wanted one of the proposals to be a meandering streetscaping which does present some problems but the Streetscape Committee emphasis was on consistent plantings in appropriate places; this roadway does not lend itself to a meandering concept, however. Also, he said the Committee recommends planting Beech trees (because it's Beach Av., actually it used to be Beech Av.) and he talked about several varieties of Beech trees, root barrier systems so as not to interfere with sidewalks, height, foliage, aesthetics. He said they could be trimmed to prevent any sight distance problems and he also talked about pedestrian bubbles, installation of benches, different species of trees considered, ADA requirements.

After considerable discussion about bike lanes, going with a 56' paved width, not wanting tree roots to interfere with sidewalks or other structures close by, traffic calming, having less auto oriented streets (i.e. less parking), Councilmember Myers moved to accept Alternative 5 but with a total of 56' curb to curb, 7-9' sidewalks and with encouragement to have neighborhood meetings for input. Councilmember Baxter seconded and the motion passed unanimously.

**5. Development of Comprehensive Sanitary Sewer Plan.**

Public Works Director Winckler reviewed the agenda bill and explained the recommendation that Hammond, Collier, Wade take the lead on combining the report and preparing the draft plan for the DOE. They would also provide the information on the service boundary, collection system, pretreatment and water quality issues, with KCM providing the wastewater treatment facility (loading analysis, facilities evaluation, treatment process, and

process alternatives) and lift station portion of the plan.

Robin Nelson and Larry Wade, on behalf of Hammond Collier Wade-Livingston and Randall Samstag of KCM spoke at length on their areas of expertise and how they plan to handle the development of the plan. They gave very comprehensive presentations.

There was considerable discussion about the current pump stations having reached their 20 year life (some of them have been in use 30 years) and about adequacy of the whole system, how the filtration system can be upgraded, etc. It was noted that some of the work Jones and Stokes has done on water quality will be incorporated into the Comprehensive Plan as well. There was also discussion about DOE requirements and the process the City had to go through to get the WWTF recertified 4 or 5 years ago.

Councilmember Baxter then moved and Councilmember Bartholomew seconded to approve staff recommendation that Hammond Collier Wade-Livingston and KCM work on the plan together, with HCW-L taking the lead, to develop the Marysville Comprehensive Sanitary Sewer Plan to be submitted to DOE. Also, to approve a budget amendment of an additional \$76,500, to come out of the Water/Sewer Revenue Fund. Motion passed unanimously.

ORDINANCES & RESOLUTIONS:

- 1. **Ordinance affirming Hearing Examiner Decision & Rezoning Property owned by Joseph Hackstadt & Marjory Homan, Amending Official Zoning Map Previously Adopted in Ordinance 772.**

Councilmember Bartholomew moved and Councilmember Wright seconded to approve/adopt Ordinance 2077. Passed unanimously.

OTHER BUSINESS:

Councilmember Pedersen asked about consultant contract criteria and purchase manual/policy progress. Finance Director Wilson said the intern is rewriting the 4th chapter of the purchasing and policy manual and City Administrator Zabell suggested he, Finance Director Wilson and Councilmember Pedersen meet with regard to consultant contracts.

ADJOURNMENT INTO EXECUTIVE SESSION: 11:35 p.m.

- 1. **Litigation.** (No Action)

RECONVENED & ADJOURNED: 12:12 a.m. 5/29/96

Accepted this 30 day of June, 1996.

David Wises  
MAYOR

May J. Swenson  
CITY CLERK

Shanda A. Swenson  
RECORDING SECRETARY