

ORIGINAL 000358

MARYSVILLE CITY COUNCIL WORK SESSION

~~000388~~

September 7, 2004

7:00 p.m.

City Hall

CALL TO ORDER / INVOCATION / PLEDGE OF ALLEGIANCE

Mayor Kendall called the September 7, 2004 Work Session of the Marysville City Council to order at 7:02 p.m. at Marysville City Hall. He then led those present in the Pledge of Allegiance. There was no invocation given.

ROLL CALL

Chief Administrative Officer Mary Swenson called the roll. The following staff and councilmembers were present.

Mayor: Dennis Kendall

Council: Mayor Pro Tem Jon Nehring, Lee Phillips, Jeff Seibert, John Soriano, and Jeff Vaughan.

Staff: Mary Swenson, Chief Administrative Officer; Cheryl Beyer, City Attorney; Sandy Langdon, Finance Director; Kevin Nielsen, City Engineer; Gloria Hirashima, Community Development Director; and Laurie Hugdahl, Recording Secretary.

Mayor Kendall noted the absence of Councilmember Donna Wright and Councilmember Lisa Vares. **Motion** made by Councilmember Nehring; seconded by Councilmember Vaughan to excuse the absence of Councilmembers Wright and Vares. **Motion** passed unanimously (5-0).

COMMITTEE REPORTS

Councilmember Lee Phillips reported that the **TV Advisory Committee** had met recently. They discussed a resolution, which will be coming to Council in the near future. Additionally, they will be touring the high school this week to visit the studio.

CONSENT AGENDA ITEMS

K. Approval of Liquor License Renewals for Marysville Oriental Store (1092 State Avenue), 4th Street Market (1212 - 4th Street), Subs N' More (9515 State Avenue), Noble Palace (1212 State Avenue #B), and Taqueria La Jaliscience (409 State Avenue).

There were no comments or questions regarding this item.

- L. Approval of New Liquor License for Grand Taj Family Indian Restaurant & Lounge (1508 - 3rd Street #A), J.K. Market (1508 - 3rd Street #B), and El Diamante (9430 State Avenue).**

There were no comments or questions regarding this item.

- I. Authorize Mayor to Sign Updated Cooperative Purchasing Agreement With the City of Bellevue.**

Chief Administrative Officer Mary Swenson explained that joint purchasing agreements such as this one enable the City to piggyback on the bids of larger cities. There were no further comments or questions.

- N. Approval of Final Plat for Rock Creek (a.k.a. Cedar Ridge); PA 0210042.**

Community Development Director Gloria Hirashima noted that the improvements for this project have been completed. Councilmember Seibert asked about seeing a checklist. Ms. Hirashima indicated she would obtain that for council review.

- O. Approval of Final Plat for Parkside Way; PA 0302005.**

There were no comments or questions regarding this item.

- P. Accept 2004 Crack Sealing Project as Complete and Begin 45-Day Lien Filing Period.**

Councilmember Seibert inquired about the intersection of Grove and Cedar. Kevin Nielsen responded that they had some leftover funds and would be able to touch that up with the hot pot.

- Q. Accept Biosolids Removal Project as Complete and Begin 45-Day Lien Filing Period.**

Councilmember John Soriano referred to the second paragraph of the letter, which refers to damage on one of the trucks. Councilmember Seibert responded that this had been discussed at Public Works and had been taken care of.

- R. Approval of Bob Grimm 60% Annexation; PA 0101003.**

There were no comments or questions regarding this item.

- S. Approval of Job Description and Classification for Position Relating to Economic Development.**

There were no comments or questions regarding this item.

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REVIEW BIDS

A. Contract Award; Soper Hill Sewer Extension Project.

Kevin Nielsen updated Council on this bid. Shoreline Construction of Woodinville is the apparent low bidder and came in significantly under the estimate. More information will be coming in next week's meeting packet.

B. Contract Award; Smokey Point West Upper Middle Tributary Culvert Replacement at 40th Avenue NE.

Mayor Kendall stated that this item would be pulled from next week's agenda.

PUBLIC HEARINGS

None.

CURRENT BUSINESS

A. Coastal Zone Management Grant Award; Dike Breach Study Phase II with the Department of Ecology.

Gloria Hirashima reviewed the Department of Ecology's grant for \$20,000 and will facilitate the research. There were no further comments or questions regarding this item.

NEW BUSINESS

A. Recommendation from Economic Development Committees (Land Use/Permitting and Business Retention/Attraction) Relating to Gaming Establishments.

Gloria Hirashima introduced members from the Economic Development Committees who were in attendance and able to answer any questions that Council might have regarding their recommendation. There was consensus from Council to allow a presentation from the committee members. Steve Muller discussed the committee's recommendation to amend the current restriction on gaming establishments to allow such establishments to operate within approved districts.

Discussion:

- Jeff Seibert asked about receiving an outline showing how the money would be used to benefit the City. Steve Muller replied that the committee merely wanted to put the City in the position to be able to negotiate the deal with the applicant. They did not feel it was their role to be involved with that.
- Caldie Rogers from the Chamber of Commerce introduced Ken and Lorraine Anderson, the owners of GA Maxwell's restaurant and the potential applicants. She also introduced Mr. Boutron who is their consultant in this venture. Ms. Rogers indicated that estimates show that this establishment could generate between \$100,000 and \$300,000 per year for the City based on estimates from other communities. Jon Nehring was concerned about those comparisons because of

Marysville's geographic proximity to the larger casinos. Caldie Rogers replied that this was a different type of market. Many people are more comfortable with the smaller establishments. These types of establishments are seen as training grounds for the larger casinos.

- Jeff Seibert asked City Attorney Cheryl Beyer about the possibility of reversing the legislation once the door is opened to gaming. Cheryl Beyer responded that it can be done, but it is fairly difficult. Mr. Boutron cited examples of several successful establishments located close to larger casinos. He feels it would be a benefit to the City.
- Caldie Rogers stated that Chief Carden is fully in support of this. Mary Swenson added that his research has shown that there has not been an increase in incidents related to this type of establishments.
- Jeff Vaughan stated that he didn't feel all the information Council needs to see was available. He was concerned about that the public would perceive that the City was willing to do anything to make a buck. He stated that there are significant impacts that were not being mentioned. He was not interested in pursuing the matter, but was willing to have an open discussion about it with all the facts. He also mentioned concerns about impacts this might have on potential developments to the north.
- John Soriano noted that he would like more information, but he wouldn't mind discussing it further.
- Jon Nehring stated that although this might be economically positive, he was concerned about ramifications it might have on the community. He suggested bringing the information back from the gaming committee that showed the impacts. He noted that the economic benefit was tempting, but he was not in favor of it. He was, however, open to studying it.
- Jeff Seibert referred to the gaming committee from 1999. He noted there had been very little support from the community at that time and it had been determined that any revenue would not be worthwhile. He suggested forming another citizens group to study this. He stated he would be interested in getting a lot more information.
- Jon Nehring added that he would appreciate having a statement from the Tribes as to their feelings on this issue.
- Mary Swenson replied that they would make contact with the Tribes.
- Lee Phillips discussed concerns about opening up the zoning. There was discussion about precedent setting in this regard.
- Mr. Boutron referred to a casino in Lacey that is the only one that can be allowed there. He commented that this establishment being discussed in Marysville would provide at least 60-75 jobs for the community. He also informed Council that part of the reason the Anderson's want to explore this is to provide funding for a new hotel and state of the art office building.
- Jon Nehring suggested discussing this again when all members of Council were present and when Chief Carden was in attendance. He indicated he would like to receive Chief Carden's statement that there would be no increase needed for law enforcement related to this.
- Jeff Vaughan encouraged more serious study of this issue. He did not think one week was enough time to obtain the necessary information. He encouraged Council to move slowly and cautiously.

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- Jeff Seibert commented that the City has spent several million dollars in hopes of attracting certain types of businesses. He didn't feel this issue would help in that effort. He would rather not spend the time exploring this matter further.
- Jon Nehring stated he would rather not form another committee to study this. He felt comfortable making a decision with the information he already has.
- Lee Phillips was in favor of a committee. He said he wanted to see that citizens were in support of this. He was in favor of discussing this further.
- John Soriano concurred.
- Jeff Seibert and Jeff Vaughan were not in favor of discussing this further.
- Jon Nehring was not in favor of gaming, but in favor of local businesses and of listening to the recommendations of the Economic Development Committee. He would like more input even though he is personally against it.
- Mary Swenson stated that they would leave this on the agenda as a discussion item for next week.

B. Snohomish County Tomorrow - UGA Transition Issues.

Gloria Hirashima explained that Snohomish County Tomorrow had requested input from jurisdictions regarding interlocal agreements and urban transition between cities and counties. Councilmember Seibert stated that this discussion had taken place some time ago. He was in favor of having more say about what happens when land develops outside the city limits. He would like the County to adhere to City standards. Councilmember Soriano was in agreement. Gloria Hirashima discussed planning and development issues related to this. There was also discussion about the benefits of annexing the entire area at once.

C. Birch Creek Rezone - Preliminary Plat; PA 0304010.

Gloria Hirashima explained that this was a rezone of 44 lots. Jeff Seibert referred to page 4 of the Mitigated Determination of Non-Significance, which reads, "*If future traffic patterns deviate from the attached distribution it is possible to add features to control the distribution, such as neck downs, chokers, gateways, speed tables, and/or traffic circles.*" He expressed his desire that this be done right the first time. Councilmember Seibert then referred to the Hearing Examiner's Recommendation. Page 6, paragraph 2 refers to Exhibit 8. He requested a copy of this. He also requested an enlarged map of the area. Ms. Hirashima indicated she would obtain those items for him.

D. Crider Annexation - 10% Notice of Intent (NOI); PA 04018.

There were no comments or questions regarding this item.

E. Houvener Annexation - 10% Notice of Intent (NOI); PA 04022.

There were no comments or questions regarding this item.

F. Jordan Annexation - 10% Notice of Intention; PA 04026.

Ms. Hirashima pointed out a parcel that should be included on the annexation map.

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G. Kalberg Annexation - 10% Notice of Intention; PA 04002.

There were no comments or questions regarding this item.

H. Martini Annexation - 10% Notice of Intention; PA 04017.

Councilmember Seibert inquired about the waiving of the requirement for obtaining water and sewer service. Ms. Hirashima explained why this decision had been made.

I. Thoenke Annexation - 10% Notice of Intent (NOI); PA 04016.

Staff is recommending the expanded annexation boundary.

LEGAL

None.

ORDINANCES AND RESOLUTIONS

A. An Ordinance of the City of Marysville Annexing and Zoning Certain Unincorporated Area, Known as the Bob Grimm Annexation into the City of Marysville.

Discussed above.

B. An Ordinance of the City of Marysville Affirming the Decision Of the Hearing Examiner and Rezoning Properties Owned by Bruce & Elizabeth Martin and DB Johnson Construction, Inc. Amending the Official Zoning Map of the City.

Discussed above.

C. A Resolution of the City of Marysville Declaring Certain Items Of Personal Property to be Surplus and Authorizing the Sale or Disposal Thereof.

Mayor Kendall stated that all these items have been replaced.

INFORMATION ITEMS

Mayor's Business

Mayor Kendall referred to an item discussed in the Executive Session. **Motion** made by Councilmember Seibert; seconded by Councilmember Nehring to allow the Mayor to sign the settlement agreement discussed at the Executive Session. **Motion** passed unanimously (5-0).

Mayor Kendall welcomed everyone back. He reviewed highlights of the previous month:

- Ribbon cutting for State Avenue.
- Started waterfront park project.

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- Began the detention pond project.
- Completed the horizontal drilling project.
- Police dog handlers for K-9 dogs Shadow and Radar were re-certified.
- Public Works has their new recycle containers out.

Staff Business

Sandy Langdon noted that the audit report had been sent to all.

Gloria Hirashima discussed the Impact Fee Comparisons sheet that had been compiled at council request.

Kevin Nielsen commented that:

- Dave Lervik's last day will be September 10.
- He thanked Gloria Hirashima for her hard work on the Comprehensive Plan. He noted that she had been working every weekend, including Labor Day.
- He requested input regarding pond policies.
- Noted that the Sunnyside paving job had been done with the City's own paver. He commended the streets department for doing a great job.

Cheryl Beyer had no further comments.

Mary Swenson noted she had a personnel item for Executive Session.

Call On Councilmembers

Jeff Vaughan commented that:

- His kids are excited about taking out the trash with the new containers.
- His neighbor had praise for the building permit process – both speed and ease.
- Had a fantastic time in Fontana. He felt it was a great team-building time.

John Soriano agreed. He stated that it was an exciting event and really improved his attitude about the project. He commented on the wide diversity of attendees and how family-oriented the event was.

Lee Phillips noted that he had attended the outreach project in Everett and the ribbon cutting ceremony for State Avenue. He was pleased with the accomplishments of the TV Advisory Committee's last meeting.

Jon Nehring:

- Commended Sandy Langdon for the good job on the audit.
- Requested golf reports.
- Would like to recognize State Avenue businesses for their sacrifices during the State Avenue construction.
- Asked for Economic Development Committees timeline. Mary Swenson replied that meetings would resume in the fall, but some of the committees will be merging to avoid overlap.

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Jeff Seibert welcomed everybody back. He commented that:

- State Avenue looks great, especially from the freeway at night.
- Horizontal drill was very impressive.
- Commended Sandy Langdon for the audit report.

ADJOURNMENT

Seeing no further business, Mayor Kendall recessed the work session from 9:10 p.m. until 9:15 p.m. at which time the Executive Session would begin. The Executive Session was expected to last about fifteen minutes.

EXECUTIVE SESSION

Council convened into Executive Session at 9:15 p.m. to discuss personnel issues, and reconvened into Regular Session at 9:30 p.m.

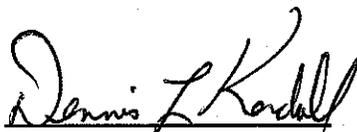
Motion by Councilmember Seibert, second by Councilmember Nehring to extend the meeting to 9:45 p.m. Motion carried unanimously.

Council reconvened into Executive Session to continue their discussion of personnel issues and convened into Regular Session at 9:45 p.m.

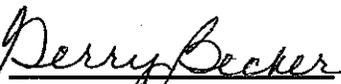
Motion by Councilmember Seibert, second by Councilmember Nehring to extend the meeting to 10:00 p.m. Motion carried unanimously.

Council convened back into Executive Session to continue their discussion of personnel issues, reconvened into Regular Session at 10:00 p.m.; took no further action and adjourned.

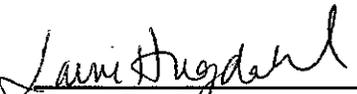
Approved this 13th day of September, 2004.



 Mayor
 Dennis Kendall



 City Clerk
 Gerry Becker



 Recording Secretary
 Laurie Hugdahl