

MARYSVILLE CITY COUNCIL MINUTES

AUGUST 14, 1989

6:30 p.m.

Public Safety Center

PRESENT: Rita Matheny, Mayor
Councilmembers:
 Ken Baxter, Mayor ProTem
 Mel Schank
 Dave Weiser
 Bill Roberts
 Larry Hots (excused)
 Bob Lashua
 Lee Cundiff
Administrative Staff:
 John Garner, City Administrator
 Mike Corcoran, City Planner
 Jim Allendoerfer, City Attorney
 Phil Dexter, Finance Director
 Dave Zabell, Public Works Director
 Wanda Iverson, Recording Secretary

EXECUTIVE SESSION:

Personnel Executive Session from 6:33 p.m. to 7:25 p.m.

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 p.m. and led the flag salute.

ROLL CALL:

Finance Director/City Clerk Dexter called the roll with all members present/absent as indicated above.

MINUTES OF PREVIOUS MEETING:

Councilor Schank moved that the minutes of 8/7/89 be approved as written. Seconded by Councilor Lashua and passed unanimously.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS: None

PRESENTATIONS: None

PETITIONS & COMMUNICATIONS: None

CONSENT AGENDA:

1. 7-31-89 Payroll in the amount of \$316,052.52.
2. 8-14-89 Claims in the amount of \$252,016.42.

Councilor Baxter moved and Councilor Cundiff seconded that the Consent Agenda Items 1 & 2 be approved. Passed unanimously.

NEW BUSINESS:**2. Library Remodel - Permission to Advertise for Architect Svcs.**

Ms. Diz Hanbey, Library Board Chair, addressed the Council and introduced other members of the Library Board that were seated in the audience. She stated that the Library is "growing out of its walls" and referred to information in the packets. She also noted that Professional Services of \$8,000 have already been approved.

Councilor Roberts noted that the Sno-Isle Regional Library System assists in funding other aspects of the Marysville Library however the City of Marysville funds the building portion 100%.

Ms. Hanbey stated that the Sno-Isle Regional Library System provides funds for books and materials and the Marysville Library is a very good resource for a fairly large regional area, although the building is owned 100% by the City. Hopefully, she added, the hallways can be utilized for more working space in the library.

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She noted that there are now 50-60 people using the library per hour now compared to 10 people per hour in 1978 when the building was first built and they need to see if it is possible to move the walls but would like to maintain the meeting room, if possible.

Councilor Schank noted that the Mountlake Terrace Library was recently expanded/remodeled and Ms. Hanbey said yes, although they had a lot more space than Marysville to work with, they would like to consult with the architect who did the work in Mountlake Terrace. She added that Mill Creek ~~is~~ also in the process of enlarging their library.

CORRECTED
MINUTES 8-28-89

Mayor Matheny commended the Library Board for their efforts in researching this out and for their presentation to the Council.

Councilor Baxter moved that the Library Board's request for \$8,000 for Professional Services be approved. Councilor Roberts seconded and the motion passed unanimously.

Ms. Hanbey stated they wished a member of City Council to serve on the architect committee.

City Attorney Allendoerfer stated that it would be appropriate, for the record, to have an explanation of why the Sno-Isle Regional Library System does not fund for capital improvements and the Asst. Director of Public Services of the Sno-Isle Regional Library System responded, stating that all 19 cities belonging to the system follow this written policy which has been adopted by the board. She added that some of the library districts have their own buildings but these are funded by levies and/or grant money and the Sno-Isle Regional Library System can assist local libraries in applying for federal grant money.

3. Request for Professional Services for Marysville Public Opinion Survey.

City Planner Corcoran presented this request, noting that at the last City Council meeting, the random survey was mentioned as something that is needed in order to identify how people want land used in Marysville and surrounding area. He said he has been in touch with Michael Cheyne of Cheyne & Associates who are the ones who put together the survey/random public opinion for the Parks Dept. He said he approached them with regard to two facets--land use of the City and greater Marysville area and the commercial district. He noted that he had had the estimate reduced by about \$1100.

After determining that City Planner Corcoran had a written survey in mind, Councilor Roberts stated that opinion polls tend to get a better response if done by phone and maybe Marysville will be shorted with a written survey.

Councilor Lashua pointed out that the Parks Dept.'s written survey received a 30% response which to him, shows citizens are concerned and interested, he said.

City Planner Corcoran said this survey will be more extensive than the Parks Dept. one.

Councilor Baxter noted that with the fee being based on the response, that can make it difficult to estimate what the total cost of the survey will be. There was discussion regarding a breakdown of the fee and response ratio. Councilor Baxter noted that this is not a budget item and it therefore would be nice to have a better idea of the response/fee.

Michael Cheyne, 6849 36th Av. NE, Seattle, addressed the Council and stated that the national average response rate is 2-3%; 5% would be an optimistic return.

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Councilor Roberts pointed out that the Parks Dept. had a 30% return and Mr. Cheyne stated that the Parks Dept. survey was sent out with a stamped, self-addressed envelope included and that they would not be including this with the public opinion survey.

Councilor Roberts asked if there are any figures on what type of person would respond to this survey and if these people would be truly representative of the population.

Mr. Cheyne said there are several articles that have been written on the character of people who respond in telephone surveys vs. written responses; the random survey and newspaper survey results will be combined, he noted.

Councilor Roberts noted that land use surveys are a little more abstract than the parks survey and asked how the questions would be developed.

Mr. Cheyne responded that they would be meeting with various local entities including the Chamber of Commerce in order to develop wording of the questions according to the need of information that is being requested.

Councilor Schank pointed out that with the circulation of the Globe, it's possible that they may get more than a 5% response and asked if it would be possible to consider a maximum of say, 5,000 people and Mr. Cheyne said it would be possible to cut it off after a 5% response is received if that's a major concern. Councilor Schank reiterated that this is a non-budgeted item and we need to be careful with the funds.

Councilor Weiser asked if Cheyne & Associates have done other land use surveys and Mr. Cheyne said they recently completed one in Edmonds.

Councilor Baxter asked where the money is going to come from and City Planner Corcoran explained that it would come out of unanticipated Planning Dept. revenue between now and the end of the year. He pointed out that \$223,000 has been received by the Planning Dept. between 1/1/89 and 8/1/89.

Councilor Roberts asked if Council could see the questions prior to their being distributed and City Planner Corcoran said no problem.

Councilor Baxter moved for approval of the proposal with the stipulation that as far as the survey in the Globe, that anything over a 5% return to be left to the discretion of City Council, to be negotiated with Cheyne & Associates as far as fee or whether or not it should be included in the results. Councilor Roberts seconded and the motion passed unanimously.

PUBLIC HEARINGS:

1. Hickock Annexation (PA8906035).

(Councilor Roberts stepped down.)

City Planner Corcoran explained that this request is for 7.25 acres and is to be zoned RR 12,500 contingent upon annexation. He noted that there is a sufficiency of petition (60%) and that this annexation area is within an enclave on the south side of 528 with an annexation area further to the south as well as another (Withers) annexation pending before the Boundary Review Board at this time.

Mayor Matheny asked about this annexation in reference to the City's Annexation Policy and City Planner Corcoran stated there is a strong possibility that this annexation may become larger, based

on the interest of adjacent property owners. There was further discussion regarding piece meal annexations.

Councilor Schank noted that this annexation request was made prior to the City trying to amend the annexation policy and City Planner Corcoran agreed, adding that the property immediately west is the same property owner.

No one in the audience wished to speak for or against the annexation and so the public hearing was closed.

Councilor Weiser asked about adjacent parcels that have signed a non-protest agreement and City Planner Corcoran said he knew of one or two in the vicinity but didn't believe them to be adjacent.

Councilor Schank asked if this piece of property is adjacent to City limits and City Planner Corcoran stated it is.

Councilor Schank moved for adoption of Resolution #1372 approving the Hickock Annexation to be sent to the Boundary Review Board. Seconded by Councilor Cundiff and passed.

2. Bertilson Annexation.

City Planner Corcoran explained this is 4+ acres with RR 7200 proposed zoning. There is sufficiency of petition and the property is located south of SR 528, north of Sunnyside Blvd., east of 53rd Av. NE and west of 57th Dr. NE and is intended that a Methodist Church be constructed. He added that one of the surrounding property owners is in the audience this evening and has indicated that he also wishes to be annexed into the City but if his annexation is handled separately from this one, it will cause a delay in the overall process. There was discussion regarding the delay.

Pat Glein, Marysville United Methodist Church Bldg. Committee member, addressed the Council, noting that the Boundary Review Board will take 6 weeks and then they need to go before the Board of Adjustment. She also noted that time is of the essence for them as they will be signing papers with the architect. She made a correction in the size of the property, noting that it is slightly over 6 acres and is a complete rectangle including parcel 3-050. She said they went around the neighborhood asked if people were interested in annexation however were unsuccessful in their attempt to bring a larger parcel of land before the Council for consideration. She added, however, that the church does wish to remain a part of Marysville as they have been for the last 100 yrs. and said that they would appreciate the total process expedited if at all possible.

Ray Schneider addressed City Council and stated he is also a member of the Church Building Committee. He stressed that they wish to remain a part of Marysville but had been unable to find a piece of property the size they needed within city limits.

Councilor Baxter asked about the additional fees if this is delayed another time or the BRB application is resubmitted. City Attorney Allendoerfer explained that the application fee is \$50 each time but more than that, it is the time involved (approximately 5 hrs. of Planner's time per application). He said that as far as the Boundary Review Board is concerned, they probably will not reject this annexation as it would be considered infilling. He asked about participation in LID #63 as a condition of annexation and Public Works Director Zabell stated they would not be eligible to be a part of the LID this late in the process and would have to do their own improvements, i.e. 28' of pavement with curbs, gutters and sidewalks.

Councilor Roberts moved and Councilor Lashua seconded to accept

the Bertilson Annexation for forwarding to the Boundary Review Board. Passed unanimously.

It was moved by Councilor Lashua and seconded by Councilor Schank to adopt Resolution #1373 accepting the Bertilson Annexation. Passed unanimously.

NEW BUSINESS:

1. Stillaguamish River Filter Pilot Plant Study.

Larry Wade, Consulting Engineer with Hammond, Collier & Wade - Livingstone Associates, Inc., Seattle, addressed the Council and referred to the Executive Summary in the packets. He gave a little history of the project, explaining that they did the study in conjunction with Howard Edde, Inc. of Redmond, Washington.

He gave a very extensive oral report, basically simply enhancing the 16 page written report distributed to all Council and City officials and discussing at length and with good interaction and interest from Council, the year long process they went through in order to determine that turbidity can be removed by use of the slow sand filtration method to obtain a feasible alternative for safe drinking water for the City of Marysville. It was also determined that this is an effective method of removing Giardia sp. and fecal coliform organisms from the Stillaguamish River water.

Mr. Wade noted that Ken Snyder should be acknowledged by the City for all the extra effort he put into testing, etc. It was also noted that this system is much less expensive to operate than the Everett system which is a chemical system and the slow sand filter method is also the same method used in London, England; a very reliable system.

Councilor Roberts asked about the maximum collection and Mr. Wade said that the appropriations permit is for 10 MGD. Councilor Roberts asked what the minimum cost would be for the sand filtration system and Mr. Wade stated it would be \$200,000 per sand filter but the size/cost of the filter could be reduced down for 3 MGD.

Councilor Roberts asked how that compared to the Everett pipeline construction end cost per gallon cost of treated water and Mr. Wade explained that basically, they were to study the viability of the system.

Councilor Roberts stated that he would like to see end costs in order to make a decision whether to go ahead with the project but Mr. Wade stated that basically there are two alternatives - staying with the existing 3.2 MGD or increase to 10 MGD with additional filtration.

There was further discussion regarding cost as well as the need for more storage. City Attorney Allendoerfer stated that he believed a storage study would be included in the water comprehensive plan presently being done by Montgomery Co. and Mr. Wade said he would hope to dovetail their information in with the Montgomery report.

City Administrator Garner asked if Council was asking for more (economic) information regarding the filtration system and Councilor Baxter said yes and there was more discussion regarding storage needs and construction costs. Mr. Wade stated that they would have the complete report in about a month.

4. Oakwood Estates - Proposed Traffic Control.

Public Works Director Zabell referred to the agenda bill and

Exhibits with respect to channelization and traffic control for the new school. Staff recommends implementing Exhibit A wherein the County would paint crosswalks at 60th & 88th and there would be stop signs as shown, however, he noted that a letter has been received from Susan Thornton (Exhibit B) stating they would prefer the intersection of 91st & 62nd Dr. NE be a 4-way stop instead of a 2-way stop. Public Works Director Zabell stated that it has been determined that traffic volumes at that intersection will not be high enough to warrant a 4-way stop; there will be crosswalks painted there, however.

Councilor Roberts asked about the access that was required to be completed to 67th by the school and Public Works Director Zabell explained it was just a pedestrian access and in addition to that requirement, the CUP stipulated that there was to be no bus traffic and no gate on the access; there will also be speed bumps within the school site, he noted.

Councilor Schank asked if the bus service would be on 67th and Public Works Director Zabell said yes, and buses would travel on county property.

Councilor Lashua asked if the whole plat of Oakwood Estates will have sidewalks and Public Works Director Zabell stated it would.

There was discussion about the school being in city limits but 67th being a county easement and Public Works Director Zabell added that 20 mph speed limit and crosswalk signs will be posted for the school.

Councilor Lashua moved and Councilor Schank seconded to accept Exhibit A on proposed traffic control. The motion passed unanimously.

5. Danielson Annexation (PA 8907042).

Councilor Roberts disclosed that he surveyed the property quite a few years ago but has had no involvement since. There were no challenges.

City Planner Corcoran stated a 10% petition has been received to annex this 1.6 acres situated northerly of Grove St., east of the 55th Av. NE alignment and west of Allen Creek. He stated that he knew of another annexation petition being prepared in the vicinity and that both are south of the 76th St. alignment which is an irregular notch in the City boundaries. He asked if Council wished these two annexations to be dealt with separately or if they wished him to put some time in doorbelling and/or contacting property owners in the area in order to present a larger area for annexation. In the case of a larger area for annexation, the Danielson property would no longer represent 10%, he noted.

Councilor Roberts stated that if the property owners have signed non-protest agreements, he would be in favor of these people being approached.

City Planner Corcoran stated this is a departure from current annexation procedure and this would require setting aside some time for contacting property owners.

Councilor Schank asked if the applicant has contacted other owners and City Planner Corcoran stated they are aware of an annexation in process in the vicinity.

Councilor Schank asked the applicant if he would be willing to contact the other property owners.

Lyle Danielson, 525 Armar Rd., addressed the Council and stated there were a lot of apprehensions--probably about a 50/50 mix and he does not feel capable of "pushing annexation."

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City Administrator Garner suggested holding an annexation town meeting with City officials present and Councilor Roberts concurred, stating this is one of the most concentrated and logical areas to be located within city limits--it is only three blocks from Marysville Police & Fire Station and they are in the county!

Public Works Director Zabell warned that the roads in the area are poor, but there already is City water and well drained soil, mostly septic systems.

Councilor Cundiff stated that as far as approaching the whole area it comes down to communication--telling people why they should be in the City. There was discussion regarding smaller annexations and the chances of a small annexation being rejected by the Boundary Review Board.

Councilor Roberts asked Mr. Danielson if he would be interested in seeing a town meeting with neighbors present and Mr. Danielson stated he could inform, yes, with City staff help. City Planner Corcoran offered to send letters out to the subject area.

Councilor Schank noted that Mr. Danielson was willing to reapply for annexation and therefore moved that this petition not be accepted but for the applicant to obtain a 10% petition of the full area marked in yellow on the vicinity map in the packets. Councilor Baxter seconded the motion and it passed unanimously.

6. Amendment to Frank Taylor Rezone Covenants and Agreement.

Councilor Roberts disclosed that he surveyed the boundaries years ago but it had nothing to do with the rezone and neither has he had any involvement since. There were no challenges.

Councilor Weiser stated he was on the Planning Commission four years ago and Councilor Schank stated Mr. Taylor was a client of his in the past. There were no challenges to either of these disclosures.

City Planner Corcoran explained that the applicant is requesting an extension of his mobile home park overlay in order to retain RMM zoning. With an extension, they would agree to suspend any action as far as developing the mobile home park and go back before the Planning Commission for determination/reconsideration for traffic and parks mitigation.

Councilor Roberts noted that multifamily is connected to the site plan, which does not meet the density requirements and a subdivision can't be extended beyond the RCW limitations, so if the duplexes are to be single ownership, they need to be transferred under a binding site plan.

Reid Shockey, 2907½ Hewitt, Everett, addressed the Council and stated that basically, the goals of the City and the goals of the property owner/applicant are the same. He said that Mr. Taylor does want to pursue multifamily on the property and is willing to commit to a binding site plan, 67th & 64th intersection improvement participation, street scape improvements along 528 and so is asking for a one year extension on the mobile home park zoning overlay. He added that there is a technical issue regarding soils which has come up and there is an analysis going on right now and this is delaying work on the multifamily plan and Mr. Taylor has a deadline of this fall (November) at which time he would have to go back to single family if multifamily is not in place by then. Mr. Shockey pointed out the applicant's alternatives: firstly, the mobile home park overlay could be removed and replaced with a multifamily plan under a binding site plan. Alternative 2 would be a one year extension with a written guarantee that Mr. Taylor will not proceed for at least 6 months on a mobile home park and Mr. Shockey concluded that they hoped Council would select Alter-

native #1.

Councilor Roberts asked if Alternative #1 would be for 116 units and Mr. Shockey stated no, it would be 18 du/ac but Mr. Taylor would like to go back to the Planning Commission on this. It is their understanding that this area has been designated for medium density multifamily along 64th, Mr. Shockey pointed out, which would be 18 du/acre.

Councilor Roberts pointed out that the present Comp Plan doesn't designate multifamily in that area so it would have to be a contract rezone.

Mr. Shockey said he would submit that if starting from scratch, it would be very reasonable and logical for this area to be designated multifamily.

Councilor Roberts agreed but stated that under the current Comp Plan it is not designated multifamily and so he said he sees the request as a density to over 300 units.

Mr. Shockey reiterated that Mr. Taylor feels the same way as the City does, that he would prefer to go to multifamily vs. a mobile home park. Mr. Shockey pointed out that both Kingswood and Ripper are medium density multifamily as is Grandview Village which was originally single family but then went to multifamily. On Alternative #2, an extension of one year with a written commitment that no action will be taken until after going to the Planning Commission.

There was discussion regarding the staff recommendation, City Council jurisdiction, upgrading from mobile home park, granting of an extension, the need to retain multifamily zoning and standards that a mobile home park may not reflect if Mr. Taylor ends up building one on a "crash course" basis.

City Attorney Allendoerfer suggested Council accept Alternative 2, the one year extension and Councilor Roberts expressed a concern about 300 units--he said that's not an upgrade!

Mr. Shockey said it would depend entirely on the site plan how many units would be allowed and that he was sure City Council is not going to approve 300 units. Up until 7 months ago, Mr. Taylor had intentions to build a mobile home park but has had more and more inquiries for multifamily and that seems to be what is needed, Mr. Shockey said. He added that they would commit in writing under Alternative 2 that no plans would be made for at least 6 months to implement the mobile home park.

Councilor Roberts asked about time line/feasibility and there was discussion regarding completion of roads, November construction deadline, possibility of property reverting to single family zoning, going before the Planning Commission again, preservation of multifamily.

Councilor Baxter noted that the original contract would stay intact until it expires and City Attorney Allendoerfer stated, yes, the current contract expires November 12, 1989 and they don't want to lose their multifamily zoning.

There was further discussion about bonding, mobile home parks in Marysville, deadline on the contract, Mr. Shockey insisting they would like to be in concert with the City, the density issue, whether or not the City wants to take the risk of the owner building a "tacky" mobile home park.

Councilor Baxter asked if the park across the street is full and City Attorney Allendoerfer said no, Phase II is having a problem.

Mr. Shockey said usually spaces are committed before the park is

built.

Councilor Roberts stated he would be willing to extend the contract rezone for six months with 116 units multifamily--that would be the same density as approved before--with it capped at 116 units. He noted the applicant could still go back to the Planning Commission for more if they wished but this would protect the 116 unit designation.

Mr. Schockey stated he was not sure what that works out to in terms of density and would prefer City Council approve Alternative 2.

Councilor Weiser noted that there is a limit of 15 acres on mobile home parks adjacent to each other and Mr. Shockey asked if Councilor Roberts' proposal would be sending a "maximum of 116 units" message to the Planning Commission. Councilor Roberts responded no.

Mr. Shockey noted that Mr. Taylor still could not make a move for six months and there was more discussion regarding density, extension of six months, binding site plan, whether this is restricting or guaranteeing a minimum area, whether or not property should be developed. (At this point, Mr. Shockey conferred with his client.)

Councilor Baxter moved and Councilor Schank seconded to continue this request to 8/28/89. Passed unanimously.

CORRECTED: SEE 8-28-89
MINUTES

7. Preliminary Plat of Alderwood Grove East (PA8906034).

(Councilor Roberts stepped down.)

City Planner Corcoran explained the Planning Commission recommended approval of the Preliminary Plat of Alderwood Grove East and referred to the minutes in the packets which also reflect questions regarding park mitigation and the applicant's offer of \$200/lot. He noted that the Planning Commission also recommended a 60' right of way including a 10' dedication on the south side of 70th St. NE but he said there should probably be clarification of the terminology "at the discretion of the Public Works Director" who was on vacation.

Councilor Cundiff moved and Councilor Schank seconded to approve the Preliminary Plat of Alderwood Grove East as per the Planning Commission recommendations, conclusions and findings of fact. The motion passed.

8. Village Motor Inn Parking Requirement.

City Planner Corcoran explained that a building permit for a 45 unit motel has been applied for immediately south of the Village Restaurant between Ash and Beach and 2nd and 3rd Streets, which is the area presently used for overload parking. On-site parking requirement would be 95 spaces but they only have 74 and because they have a unique circumstance with the motel and restaurant taking up an entire block and the majority of the on-street parking would serve these uses, the request is for a determination as to whether the on-street parking can be utilized in the count for the code required minimum parking standard.

There was discussion regarding the Mexican (chain) restaurant that's going to take over Paul Bunyan's across the street from the Village, off and on-street parking. Public Works Director Zabell noted that a park and ride lot is being contemplated on Ash which may cause an additional parking problem and/or need for on-street parking.

City Planner Corcoran pointed out that Marysville does have an off-street parking standard greater than other cities and City Attorney Allendoerfer added that this might be an opportunity for the City to require mitigation fees be paid in order for the City to be in a position to buy property for parking. He said we need to get

these businesses to contribute toward this problem.

Councilor Lashua said he was in favor of retaining the need/standard for one parking place per each motel unit (45) and was not in favor of making an exception. He said he felt the applicant should have to redesign in order to accommodate the required number of parking places.

Councilor Schank concurred that Marysville is running out of room in that area and said he liked the idea of an assessment for a parking facility.

Discussion followed regarding parking on the west side of Ash, the many complaints received by homeowners, the proposed park and ride lot, freeway right of way, possible vacation of Ash Street.

City Administrator Garner said that maybe the Council would like to hear from a representative from the Village explaining the options that were looked at and Councilor Baxter said he knew they had looked at underground parking and the cost was prohibitive.

There was further discussion regarding alternatives such as shifting the driving lane on Ash over and angle parking on Ash, more discussion regarding CT, DOT, liability aspects, design of the park and ride lot, compact/small car parking, originally the motel was going in for 96 units then 50 units and now down to 45 units, making exceptions for businesses, high water table in the area precluding underground parking.

Councilor Baxter stated he would be in favor of hearing from the owner as suggested by the City Administrator and Councilor Cundiff agreed.

Public Works Director Zabell added that they would need to install sidewalks along Ash also which would wipe out 12 more parking places and Councilor Schank stated he felt the economics need to be considered.

LEGAL MATTERS/ORDINANCE & RESOLUTIONS:

1. Final Plat of Valley Verde Division III.

Councilor Schank moved and Councilor Weiser seconded approval for the mayor to sign the Final Plat contingent on underlying financing. Passed unanimously.

2. Final Plat of Meadowdale.

Councilor Baxter moved and Councilor Lashua seconded approval for the mayor to sign the Final Plat. Passed unanimously.

3. Final Plat of Munson Creek Division III/Maintenance Bond.

Councilor Baxter moved and Councilor Weiser seconded approval. The motion passed. (Councilor Roberts didn't vote.)

4. Revised Annexation Policy.

City Attorney Allendoerfer explained that number 1 and 3 have been changed to include the phrase "sphere of influence" instead of "RUSA boundaries" or Fire District 12 references.

Councilor Schank asked about accumulating applications for annexation and City Attorney Allendoerfer stated they would have to be processed within 60 days as an annexation application expires by state law after 60 days. As far as a policy vs. a resolution being more flexible, he explained that in Marysville they are one in the same and it is a flexible document. He added that in a smaller city it may be easier to work with policies but resolutions

are easier to keep track of numerically and are a way of indexing and keeping track of the policies.

Councilor Baxter moved and Councilor Lashua seconded that Resolution #1374 be adopted. Passed unanimously.

5. Public Hearing regarding Vacation of 10th Street - 9/5/89.

City Attorney Allendoerfer explained that City Council had asked the owner to bring a real estate appraisal in for review.

Councilor Lashua moved and Councilor Baxter seconded that Resolution #1375 be adopted. The motion passed. (Councilor Roberts did not vote.)

6. Contract Between City and Snohomish County Sheriff/Narcotics Task Force.

City Attorney Allendoerfer recommended that this be signed by the mayor.

Councilor Cundiff moved and Councilor Lashua seconded that the mayor be authorized to sign the contract. Passed unanimously.

7. Belmark Recovery Contract.

City Attorney Allendoerfer explained this is for an 8" water line west of 88th for 1500 feet and approval has been recommended by the Public Works Dept.

Councilor Lashua moved and Councilor Schank seconded approval of Recovery Contract #141. Passed unanimously.

8. Ronald Elmer Recovery Contract.

City Attorney Allendoerfer explained this is for an 8" sewer line that runs for 1660 feet from Rolling Green to the Plat of Festive Broker.

Councilor Baxter moved and Councilor Schank seconded that Recovery Contract #142 be approved. Passed unanimously.

City Attorney Allendoerfer gave an update on the Boston Pizza House, stating that the LCB revoked their liquor license but gave them until 9/29 to shut down however Superior Court shut them down 8/8 based on the City of Marysville's decision at the public hearing. In the meantime, Mr. Clark has sold the business and has dropped the suit against the City, he reported.

City Attorney Allendoerfer also reported that with regard to the condemnation resolution that was adopted at the last City Council meeting, the party that Paula Morgan had been trying to contact with regard to the Everett Pipeline easement has responded and so communications are being resumed with him.

CALL ON COUNCILMEMBERS:

Councilor Lashua commented on the 12 year old girls representing Marysville in Kalamazoo, Michigan in championship playoffs and it was decided that City Administrator Garner should send them a telegram in care of Bruce Foxe, their coach, sending congratulations on behalf of the City.

City Administrator Garner stated a Hearing Examiner Workshop date needs to be set for outlining duties, etc. The workshop was set up for Monday, 9/18/89 at 9:00 a.m. in the Fire Training Room.

City Administrator Garner explained that the Fire Safety Committee meeting needs to be rescheduled and it was decided to reschedule it for 9/30/89.

ADJOURNMENT:

There being no further business to come before Council at this time, the meeting was adjourned at 11:40 p.m.

Accepted this 28th day of August, 1989.

Rita Matheny
Mayor

Mary D. Swenson
City Clerk, **DEPUTY**

Manda A. Swenson
Recording Secretary